RECORDS IN THE BRITISH PUBLIC RECORDS OFFICE RELATING TO SOUTH CAROLINA

VOL. 12
1725 – 1727

MICROFILMED
BY
WM. L. MCDOWELL

1

Vol. 12 12

B. P. R. O. A & N. I. Vol. 18. p. 83.

(22d Jany 1725/6)

May it please yor Excellency

According to Promise in my last, of the 18th January Instant ℘ Capt. Wylds; I now Enclose to yor Excellency, The Journall of the Upper House of Assembly to the 18th of December last with a Duplicate of the Extract sent ℘ Capt. Austin, and also five acts passed this session. I sent yor Excellency ℘ Capt Wylds the Copy of such Letters as gave an Acct of the dismall Condition of the Garrison, but this Weeke receiving another from Leiutent Watts, and Mr Izard (being in Towne) opened it, and finding his Acct more perticuler, I have Enclosed a Copy to Your Excellency, and this day sent the Original to his Honor ye President who has been, for some time at his Plantation to ye Southward, The Enclosed papers are soe long, and will I hope give yor Excellency soe true a knowledge of what is doeing here that I need not Enlarge further than to assure you that noe paines shall be wanting in me at all times for this purpose I remaine with my humble duty to yor Excellency Sr

Charles Town 22d Jany 1725/6 Your Excell ever Obliged and Faithfull

Servt Hen. Hargrave.

Enclosed is also a Proclamacon for calling the Generall assembly

To his Excell Francis Nicholson Esqr

1726 — 1727

B.P.R.O. A & W. I. Vol. 18. p. 87 [8]

(28 Jan. 1725/6.)

Sir,

Since I wrote to Your Excellency what I mentioned concerning the Public Offices has been put in Execution. As the manner of it has been something Particular I think your Excellency ought to know it in all its Circumstances.

The President has for a considerable time expressed a great deal of favour for Mr Killpatrick & in a very particular Manner promised Doctr Cooper (with whom he hath lived ever since he left me) to provide for him whenever it lay in his power. Some short time before I last wrote to Your Excellency he sent Mr Hargrave to Kilpatrick to acquaint him that Coulliette's Office was to be disposed of & that if he could lay down £300 he should be preferred. Killpatrick not a little surprized at the Message waited on him, where he found that the price of the Office was the Sume mentioned. he Excused himself in the most modest manner he could & told him he had not so much money in the world, that he was persuaded of his Honour's Generosity towards him, but that it was his ill fortune (the want of £300) was

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in the fault that he was not provided for (The President expostulated & said that he would take his Bond and he did not but Cooper (who with the Widow Wright has married a good fortune) would be bound for him, but Mr Killpatrick said that he had not Assurance enough to ask or if he had he was assured the other had too much sense to engage with him for such a purpose & so the Treaty ended. Another Stratagem was laid to keep up the value of this Office. Old Captain Croft was directed by the President to procure from the Judge a Complaint against Coulliette & then Petition him for his Place this was put in Execution but Captain Croft Mistaking his Honour's Intentions, & thinking he designed to relieve him in his Circumstances & not make a penny of him, he offered him no Money & therefore was laid aside & Childermas Croft (Mr Hume's Clerk) producing £200 ready Cash he is now Comissioned to be Clerk of the Crown. I had almost forgot to have told your Excellency that Mr Pickering (who made application for place) was not preferr'd because he had not the Ready Money to lay down but Offer'd a Bond pay-able in a few Months.

Not quite so much Ceremony was used about Mr Blakeweys part of the Vendue Masters Place for the first

first News he heard was that Mr Edward Croft by Virtue of £100 was become more deserving that Office, thus Sir after many Protestations and Assurances of Friendship he is superseded without the least Notice or even So much as the Liberty to bid as much as another.

I my last I acquainted your Excellency that £400 would make a Provost Marshall, but Mr Harvey by a lucky accident came off at the Expence only of £200 this piece of good fortune happen'd thus Hargrave was directed to go to Harvey & lett him know that he was to deposite £400 & that at the same time was to hint, that the President had been offer'd £500 but he being a very honest deserving Officer he should have the preference Hargrave had further Instructions that if Harvey did not comply, he must go to Mr Fairchild & let him know that the President wanted to speak with him, Hargrave finding but an Indifferent reception from Harvey, pursued his Orders but Fairchild understanding the Intention of the Presidents sending for him declined going to him & rejected the Offer with Contempt.

Thus Sir I have given your Excellency an Account of a Transaction which has so much Alarmed and Surprized every one who had any friendship or Esteem for

for Mr. Middleton & makes your Enemyes (who will Ack-
-nowledge that you hate a mean or Mercenary action) say
that they are confident that the President is convinced you'll
never return here or he would not take a Step so disagreeable
to your Inclinations & make some of Your Friends look
dull who have not had the honour of being so near You
as I have or the pleasure of seeing you laugh at the
dissapointment of their wise Conjectures and profound
fictions. I can't help saying that I am very sorry that this
should be done by a Native of the Country who I have
heard Condemn the Proprietors for things of this kind
(tho' not attended with Circumstances so very low &
mean) & partly for that reason enter'd into measures
against them, was the first that engaged in the
Revolution & the first that diserted them when they
were in seeming distress I say Sir I think this very
aggrevating in a Man who enjoys such an affluence
of Fortune who has so largely partaken of Your Ex-
-cellency's favours & has been so handsomly Considered
by you since you have been at home.

I earnestly wish for your Excellency's return
to retrieve us from the Corruptions into which We
are falling & to restore that equal Administration
which made me unalterably

Sir,

Sir,

Your most faithfull &
most Obedient
&
Most humble Servant
Benja Whitaker

Jany 28th 1725/6

P.S.

As soon as Mr Middleton came to Town, I sent him a Copy of what I've done myself the Honour to write to Yor Excellcy

B. P. R. O. A + W. I. Vol. 18. p. 85.

Febr. 4: 1725-6

May it please your Excellency

I had lately the Honour of writing to your Excellency, in which I gave you the ill acct. of the burning of Fort King George and that I would call the assembly in a very little time to see if they would give as much money as would rebuild the Barracks for the Soldiers, & to put the Forts in some sort of repair till I could have your Excellency's answer and directions thereon. Accordingly the assembly is mett, and after two or three days long disputes, & de-nyals so to doo, they have at last agreed to make use of two thousand pounds of the bills that are to be sunke, & it is to be apply'd to the repare of the Fort, & building of Barracks. there being no money in the Treasurers hands, & the tax bill being past long before, and all the money appropriated, nothing could be done that waye, so that by the advice of the Council I have agreed to make use of that money, knowing it to be for his Majestyes Interest & Servis, & that the poor Soldiers should be expos'd to the weather, & the Indians. I hope your Excellency won't take this a miss for I could not possibly do otherwise, having

no

no power to draw bills for any such use. / Your Excellcy
can't imagine the daly trouble I have with those people,
& I begg that you will ease me of it as soon as possible,
& that the Fort may be removed to St. Simons Island
which will be more for His Majestyes Servis, & use
to the Country. Mr. Allin will now in a few dayes
send a sloope with all necessaryes for uses intended.
The Journal of this short sessions shall be sent to -
your Excellency as fast as possible. / I am to -
apply to your Excellency in my own behalfe, &
desire that you will hear me with patience. Some-
-body has told Mr. Whitaker that I had wrote to
your Excellency against him, I appeal to you if I
have, or against any other person, upon which Mr.
Whitaker caus'd one Dulett formerly clarke of the Court
of Common Pleas, to petition the Assembly setting forth
that I had taken his place from him and had given
it to another, & for which I took money. / Now Sr.
the matter lyes here, this Duliett has been often com-
-plained of by the Judges to me as unfitt, & very
negligent in his Office, upon which I told Mr. Chief
Justice Hepworth that I was unwilling to turn the man
out, but as he was so unfit for that post as he represented
him to me, if I did turn him out, whoever had it
should

should give me something for it, this I did openly, & not under hand, & accordingly he approved of the person to whom I gave the Commission to, & I received a present of two hundred pounds for it, & that without asking for, & this is the great Crime the Assembly designes to acquaint you with./ this place, the Martials place, & the Vandue Masters have bin always looct upon as perquisets to the Govern^t. and something has bin always given for them, & how it now comes to be a Crime in me I can't tell. Indeed Your Excelly did not but that was your own goodness, & you spent many thousand pounds in the Country more then you gott, but your Excelency can't thinke that a reason for an other, that can't so well afford it./ I have annuf to do with those Genl.men that were always know Enemyes here, & they hate me as being a friend & servant of your Excellencyes, & take all the oppertunityes they can to make me uneasy so they will any one that dos as they would have him, They're in senct against, for standing up for the priviledges of the Council pursuent to his Majestyes instructions as you may see by my speech to them at their last breaking up, & sent you in the Journals/ In raiseing the tax for the Insueing year they gave me

me fifteen hundred pounds, but it was in such a Maner as made it very unactable to me, for first they putt it to the vote whether I should have it then then, whether it should be a thousand, then seven hundred & 50 pounds, but it was carryed for 1500, & this is one thousand then has bin given to others, & indeed I shall spend more then I shall gett. Mr Whitaker has given me a Copye of the Letter he has wrote to you on this head, but it is Stuft with so many Notorious untruths that I can't mention them, & in due time will disprove them especially when I shall have the Honr of seeing you here, I would do it now but have not time. / Your Excelency knows Mr Whitaker's behaviour when you were here, and it has been much worse since. If the representation of such people must be believed I don't know what to say I hereby send you all the papers relateing to it. /

I am very much putt to it, to know what to do with the Garrison, & begg that your Excelency will give positive orders about. /

I am your Excelency's
Most Obedient humble Servt
Ar: Middleton.

B. P. R. O. A & W. I. Vol. 18. p. 86.

South Carolina 5th Febry 1725/6

May it Please yor Excelley

I am ordered by the Comons House of Assembly to transmit to your Excelly the inclosed Petition and Resolutions, And this being the first Opportunity I have Comply'd with their Comands and am

Your Excelly's Most Obedt
and
Most humble Servt
Benja Whitaker.

To the Honble Thomas Broughton Esqr Speaker
and to the rest of the Honble the Members
of the Commons House of Assembly.

The Humble Petition of Lawrence Coulliette, late
Clerk of the Crown & Clerk of the Peace, & Clerk of
the Supream & General Court of Pleas held in Charlestown

Sheweth.

That your Petitioner was appointed in the above said places by his Excellency Francis Nicholson Esqr Govr of this Province & continued to act therein until the Eleventh day of January last past at which Time the President Mr Middleton sold the same to Mr Childermas Croft for the sum of Two hundred pounds currant money paid down.

That how inconsiderable soever your Petitioner may appear in his private Circumstances yet he conceives & is advised that the selling of Places relating to the Administration of Justice is a very heinous Offence & grievous Oppression to the subject, as well by the Comon as the Statute Laws of England, and the persons receiving such moneys liable to severe penalties, & the Persons paying the same rendred uncapable of enjoying their Places for which any Moneys have been paid, and of what Importance it is to the

the Liberty & property of the Subject that such places ought not to be Sold appears by the late Judgement of the House of Peers of Great Britain against the Lord Macclesfield who was not only removed from his place of High Chancellor of England but fined Thirty Thousand pounds sterling & comitted to the Tower till he paid the same.

That your Petitioner knows not where to fly for redress unless to this Honble House who have always been ready to hear Complaints against, & discourage all practices tending to destroy the Rights, Liberties, & properties of the People you represent.

Wherefore your Petitioner humbly prays your Honours to take into Consideration his Case & to grant him such relief therein as shall be agreeable to Law & Equity.

And your Petitioner as in duty bound shall ever pray &c

Law: Coulliette.

B.P.R.O. A + W. I. Vol. 18. p. 88.

(7 Feb. 1725/6)

May it please yor Excellency

Herewith you receive the Journall of what the Assembly have done in relation to the Fort.

As to What relates to his Hon^r the President I am heartily sorry for the Occasion Especially in the manner it comes to yor Excellency; The President tells me he has wrote to yor Excellency I therefore think it my Duty at the same time, to acquaint yor Excellency how farr & in what manner I have been obliged to act in this matter.

The Assembly being Prorogued on Saterday the 18th day of December last, The President did not goe out of Towne till two or three days after, And the morning he was going away, He came to my house and Ordered me to goe to Mr Harvey the Marshall, and tell him He would speake with him, I accordingly went, but Mr Harvey was gone out. He then desired me to goe to Mr Kilpatrick who lodged with Doctor Cooper, and to acquaint him that he had been Offered three hundred pounds for the Office of Clerke of the Peace, and therefore as he had a perticuler regard to him He should have the Preference at the same Price, and

to

to send his Answer directly; I went to Mr Kil-
-patrick & delivered him this Message, Mr Kilpatrick
told me He had noe money, and that if he should
apply himself to Doctor Cooper to Assist him, He
doubted whether he should succeed, I told him, I
had nothing to say in the matter further then to
Deliver this Message & therefore desired him to goe
directly to the President himself, wch he said he
would doe, & which was all the Answer I returned,
and all that I had to doe in that matter.—

In about an houre after, the President
came to my house and told me he was then going
out of Towne & ordered me to send for Mr Harvey
and acquaint him, that he expected he should waite
on him with a Present of three or four hundred
Pounds for a New yeares Gift, and that if he did
not give me a Direct Answer, I should tell Mr
Fairchild that his Honor would speake wth him.

I must acknowledge I did not goe to Mr
Harvey that day as I was Ordered, but the next morning
Mr Harvey sent to desire me to come to him (being out
of Order) I went accordingly & then delivered the
Message beforementioned, He answered he could not
Comply with it. I told him I had nothing further to
say

say, then to deliver my Message, and that I was sorry it happened, I should be the Messenger, but as to any-thing further He must write or apply to the President; And in Consequence of the Presidents Order I saw Mr Fairchild the same day, and told him, the President desired to see him at Goosecreeke, He asked me, about what, I answered that I was only Ordered to tell him soe, and therefore had no more to say.

I Declare to Yor Excellency That this is the whole Truth, how farr, and in what manner I have acted in this Affaire, and if my Oath be Required for yor greater satisfaction I am ready to give it.

It has been my constant endeavour to doe my Duty in my Station with equall regard of Civility to all people and hope therefore noe person will Offer to Misrepresent me, I have this Comfort that I can, and doe Relye on yor Excellency's Goodness to beleive that what I have done, could not be avoided, and as to anything beyond what I have here mentioned has noe Relation to me.

Yor Excellency is sensible I have never wrote anything beyond what was absolutely necessary to the Duty of my Office hitherto, and had I been apprized of what

what has been wrote to you on this head I should have gladly saved you this trouble Therefore as I am satisfyed of the equal regard yor. Excellency has to justice, I entirely depend you will not think this a needless trouble from

7th. February 1725.

Sr. Yor. Excellency's
ever Obliged Faithfull Servt.
Hen: Hargrave.

P.S.

I Enclose to Yor. Excellency a Letter from Mr Secretary Hart & assure you that noe one more seriously joines wth. him in his Wishes for yor. Excellency then myself, soe that a Repitition would swell my Letter to too great a Length at this time of night. Therefore once more beg leave to subscribe

Sr. yor. Excellency's
most Obliged Servt.
Hen: Hargrave.

B.P.R.O. A + W. I. vol. 18. p. 89

(11 Feb. 1725/6.)

May it Please your Excellency,

Inclosed is the Lists of my Office to the 25th of December Last. I hope your Excellency Receivd the former. to Sept. 29th (I took care to send Duplicates) as I doe of this.

The 6 this instant arrived Capt Clark Eight weeks Passage by whom we are informed of Yor Excellency's Good Health. He gives us great Hopes of being Honrd with Yor Excellency's Presence soon.

Mr Whitaker & Others haveing given your Excellency Account of some Proceedings here about Places the President hath done me the favour to lett me keep half ye Vandue Place, but Mr Blackeweys he hath disposed of to Mr Edward Crofts. These things have made some of your Excellency's Enemyes see their Error & those who before spoak not with that respect as is Due to your Excellency now earnestly wish for your Excellencys safe Return & Doe themselves the Honr to Drink your Excellencys Health &c.

We are informed my Brother is like to come Secretary. I hope he will take care to behave himself soe in that as to merritt Yor Excellcys Esteem & to acknowledge

acknowledge the many Obligations I lye under. I should be proud to Receive Your Excellencys Commands which shall ever be Obeyed with the greatest Care & Deligence. Being with Great Respect

Your Excellencys

So Carolina — Most Dutifull and Obeydeiant sic.

11th Feb. 1725. — Servant

Wm Hammerton

B.P.R.O. A & W. I. Vol. 18. p. 90.

(28 Feb. 1725/6.)

Sir

Captain Rider by whom I intend this has been detained by Contrary Winds in Rebellion Road a considerable time so that will receive this as soon as those which I last did myselfe the Honour to Address to Your Excellency. The Assembly being pro-roged till the third Tuesday in the next Month I can't say thing of Public Concern, Your Excellency will easily believe that since what has happen'd in the Assembly there is no Extra-ordinary understanding between Mr. Middleton & me, nor indeed can I be fond of a Man's friendship Unless his Actions are such as I may honestly justifye He looks on me as an Instrument in passing the Resolutions, nor is he mistaken. He has spoke to me about it. I told him I did not dislike the thing because he was the Author of it, but I condemned it because it was an Ill-thing, as to any personal Resentment I cou'd have none against him because he had always treated me with Civility & I assure Your Excellency I am more concern'd that he has been Guilty of it than he seems to be, tho' I think I have not so much Reason. Your Excellency's

Friends

21

Friends in the Assembly Judged it reasonable that an account of the affair should be transmitted to you because they think Mr. Middleton has not acted with so much Gratitude as Your Excellency might have expected, The Displacing of Persons on whom you had generously bestow'd Offices, & constituting others, not only for a Mean Reward, but Persons whom Your Excellency had no great reason to esteem, I think shews not so much regard as he Ought to pay You or so much Honour as a Man in his Station ought to be possessed of.

For my own part I was determined in my Opinion before the matter was publickly censured or indeed talked of, but I am the more induced to think I was in the Right since there was not One Man in the assembly who spoke in his Justification & the first Resolve past without being put to the Vote.

It is now Confidently affirm'd that We are to see Your Excellency no more in Carolina, but I have not the less hopes & doubt not but I shall soon have the Pleasure of telling Your Excellency in Person that I am, with very great Respect, Your Excelly's most

28 Febry 1725/6

Faithfull & most obedt humble Servt

Benjn Whitaker

B. P. R. O. Carolina Prop.ᵗʸ B. J. Vol. 5 p. 172

23 March 1726

To the Right Hon.ble the Lords of the Committee of Councill, the Humble Memorial of Henry Duke of Beaufort William Lord Craven and four others of the Lords Proprietors of Carolina

Sheweth That your Memorialists did some time since present a Memorial to His Majesty praying his approbation of Mr. Horsey to be their Governor of South Carolina, and at the same time Mr. Yonge agent for the Inhabitants (the Proprietors Tenants) presented a Petition to His Majestie praying that Counsel might be heard against the Lords Proprietors being permitted to nominate the said Colonel Horsey or any other the matter of which petition Your Majesty to refer to your Lords.ps

That Your Lordships did appoint a day for the hearing of the said Memorial and petition and also for the considering of the representation of Mr. Shelton your Memorialists Secretary

That Your Memorialists have been at great expence in feeing Counsel expecting the matter would have been heard before your Lord.ps on Wednesday the 16th inst but before that time Mr. Nicholson obtained an order to put off the Tryal till this day.

That on Monday your Memorialists were served with an Order to put off the said hearing till the arrival of Lord Carteret now in Ireland

That your Memorialists do apprehend that both the said Orders were procured purely to delay the matter from coming before your Lordships, and to increase Your Memorialists expences. for that your Memorialists cannot

cannot conceive that the absence of Lord Carteret can be any obstruction in determi-
-ning the matter before Your Lordships since Your Memorialists are six of the Eight
proprietors who join in recommending the said Mr Horsey for His Majestes Appro-
-bation. That Your Memorialists dont doubt that were Lord Carteret present he
would join your Memorialists in the like humble request it being for the common
good of all the proprietors and was his Lordship not pleased to concur yet on
this affair his Lordship would necessary be concluded by the Majority
thó hitherto the proprietors have been so happy as to act unanimously

Wherefore your Memorialists humbly pray that your Lordships
will be pleased to continue the said last order. and appoint a short day
for the Hearing and determining the matter in refrence before your Lordps

Beaufort Craven. Ja. Bertie

23 March 1726. J Colleton H Bertie John Tyrrell

B. P. R. O. Carolina Prop.^y vol 5. p. 178

[entered in vol immediately after a Letter of Mar 1726]

My Lord

During your Lordships absence we have had many attacks upon our property in South Carolina. Governor Nicholson returned (some time after your Lord.^ps departure) charged with many complaints from the Inhabitants there and the Merchants here, and he deputed a person to succeed him that hath acted with even greater imprudence tham himself. for he has farmed or sold all his Offices in the Province and Mr Hart formerly our Secretary hath taken upon him to treat for the sale of his Office and Mr Hammerton who was to be the purchaser has applied to the Crown for a grant of it against which we thought proper to enter a Caveat

But this is not all we have had repeated accounts from Carolina that we were like to have no Quit Rents and that our Lands were entered upon and our Pitch Tar and Timber are used at pleasure and that if some stop was not put to it. we should have neither Timber Lands nor Quit Rents

We were under the greatest concern for want of your Lordships advice and assistance in this dilemma however we applied to Mr Ashley and acquainted him that we thought it proper for us now to reassume the nominating of our own Governor since nothing else was left for us to preserve our Quit rents, and the rest of our properties. and Mr Ashleys approbation accompanied every step we took.

The first thing we did was to present a Memorial to His Majestie wherein we set forth that we had appointed Col: Horsey and prayed the

Royal

Royal Approbation we apprehending that he was a person perfectly agreable to Your Lordship as we know he was to a great many other noble Lords of the Council and we had reason to believe that this matter would have met with no opposition but to our great surprise one Mr Yonge formerly our Surveyor and who intruded without consent into the Receiver Generals place for which he has not yet accounted took upon him in the name of the Inhabitants as he pretended who are all our Tenants in Arrear to present a Memorial setting forth that the province would not only fall into the same Commotions again in case the Proprietors were permitted to appoint a Governor, but also that many of the inhabitants would leave the Province and therefore pray'd the proprietors might not be allowed to appoint a Governor and desired to be heard by the Council

This Insolence moved us so much that we ordered Mr Shelton our Secretary to write to him that we designed to move the Council to dismiss his Petition unless he could produce his authority, and he in writing not only returned that he had Instructions to oppose our nominating a Governor but to desire and solicit his Majesty to take also the soyle of the sd Province unto himself. And upon attending the Council and reading Mr Sheltons representation And a Motion being made in behalfe of the Merchants for the Matter of their Complaints to be heard, their Lordships were pleased to appoint a day for hearing both thes matters together, but Mr Nicollson obtained an Order to enlarge the time, and when that came he obtained a further order to put off the hearing till your Lordships arrival. And upon the hopes of your Lordships coming so soon we did not think it proper to make any further application to the Lords of the

the Committee.

This my Lord is a full state of all our proceedings and we dont doubt but we shall have your Lordships assistance and concurrence since it is for the common interest and advantage of the Province as well as the proprietors And now we shall have your Lordships presence in Town we are persuaded your Lordship will join with us in bringing this matter to a speedy conclusion which has so long been suspended to the prejudice of your Lordship

My Lord

Your Lordships most obed! humble servants

[left blank but presumably signed by the Lords proprietors]

P. S. We enclose your Lordship a copy of Mr. Yonge's letter for your perusal. the original Mr. Shelton will show your Lords.p when you please to allow him leave to wait on you

B. P. R. O. A + W. I. Vol. 621.

(May 1726.)

List of Papers.

No 1. The Lords Proprietors Petition Recomending Coll: Horsey.

No 2. The Lords Proprietors Petition to his Majesty with the Lords of the Councils Order thereon.

No 3. To the Kings most Excellent Majesty the humble Petition of the Council and assembly of this your Majesties Province of So Carolina.

No 4. To the Kings most Excellent Majesty The Answer to Mr Sheltons Memorial &c. from the Councel & Comons house of assembly of his Majesties Province of South Carolina.

No 5. The Act appointing Francis Yonge Esqr to be agent for his Majesties Province of So Carolina.

No 6. Copies of three Letters from Arthur Middleton Esqr President of his Majesties Honoble Council of So Carolina.

No 7. Copy of two Letters (vizt) one from Ralph Izard Esqr of His Majesties Honoble Councel of his Majesties Province of So Carolina, another from Thomas Broughton Speaker of the Comons house of assembly.

No 8. Copies of two Letters from the Rt Honoble Mr

President

28

President Middleton to Fr. Nicholson Esqr &c

Letter A The Case of the Lords Proprietors of Carolina to be heard before a Comittee of the Lords of the Council. The first is Mr Sheltons Memorial.

No 1

No 1.

To the Kings most Excellent Majesty,

May it Please your Majesty.

We your Majestys most Dutifull & Loyall Sub-
-jects the Lords Proprietors of ye Province of Carolina
in America do most Humbly represent to your Maty.
That by Virtue of Letters Patents from King Charles
the Second of blessed memory, We have Nominated &
appointed The Honoble Coll. Samuel Horsey to be Governour
of the Province of South Carolina in the room of Mr
Nicholson lately arrived here whom your Majesty
was Pleased to appoint as a Provisional Govr. during
some Comocons in that Province long since Quieted
the sd. Colonell Horsey being a man of Integrity
& of Honour Zeal of Your Matys Government and every
way Qualified for that Trust.

We do most humbly recomend the said Coll.
Horsey to your Sacred Majesty and Pray he
may have your Royal Approbation to be
Governour of that Province as aforesaid accord-
-ing to an Act of Parliament made in that
Case.

All which is most humbly Submitted

Beaufort. Craven. Jno. Bertie Jas. Tyrrell.
Jo: Colleton. Hen. Bertie.

No 2.

No 2.

To the Kings most Excellent Majesty.

The Humble Peticon of the Lords Proprietors of the Province of Carolina.

We Your Majesties most Dutifull & Loyall Subjects the Lords Proprietors of the Province of Carolina in America do humbly Intreat Your Majesty, that out of Your great Goodness and Justice, you would be Graciously pleased to Order that those Subsequent Articles be Inserted into the Instructions given to Your Majestys Provisional Governo.r of South Carolina.

First. That he should be Commanded in his Instructions to be assisting to the Proprietors in their Demands of their Just Dues & Rights Granted to them by their Charter from Your Majestys Royal Predecessor King Charles the Second, and Especially in Collecting and receiving their Quitt Rents reserved to the Proprietors, upon the Original Grant of the Lands made to the Inhabitants, That in Case any Difference should arise, between the Proprietors Officers and the Planters, in the Collecting their Chief Rents &c. Such differences may Imediately be heard & Determined according to the Custom & Laws of the Province, and Justice between them may be Equally and Impartially Administred.

And

And your Petition^rs humbly Conceive that if a Register was Established in the said Province wherein the Grants have been made, and those which shall hereafter be made, should be Entered, and the Quantitys of Lands Granted, and the Chief Rents there-in reserved should be Expressed, it would put an End to all disputes of that Nature that could Arise, and the Peace & quiett of the Country would be Setled & Established.

2dly That your Majestys Provisional Govern^r may be directed to Continue such Officers (as by their said Charter your Peticon^rs have power to appoint) in their several and Respective Offices, and Imployments during their good behaviour So that they may be Countenanced and Protected whilst they justly perform the Duty of their Imployments.

3dly That many of the Inhabitants after they had deposed your Petitioners Governo^r (who was according to the Act of Parliament approved of by your Majesty) did after an Illegall & Unwarrantable manner into and Posses themselves of the Lands of your Petitioners without any Claim or Right thereunto, and therein did Cut down Great Quantitys of the most valuable Wood and Timber which has reduced those Lands to less then

then half the Value they were Esteemed at before, upon which Account great Injury and Damage has been done to the Estates of your Petitioners.

We therefore humbly Pray your Majesty. That your Provisional Governt. may be Instructed to turn those Illegall Intruders out of your Peticors. Lands, and that your Peticors. may be again restored to their ancient Inheritance, and that a Stop may be put to all such Illegall proceedings for the future.

If your Sacred Majesty will be pleased out sic of your Wanted goodness to Order that those Articles may be added to the Provisionall Governor of South Carolina's Instructions, It would tend greatly to the Settlement of the Peace Quiet & happiness of that Colony and to the Support of the just rights of your Majesty's most Dutifull Loyal Subjects & Proprietors

All which nevertheless is most humbly
Submitted to your Royall Consideration

St James's
June 14th 1726.

Carteret Ja. Bertie
Beaufort Hen. Bertie
Craven Jo: Tyrrell
Jo. Colleton.

There is a Duplicate of this Petition in Carolina Propr. B.T. Vol. 5. fo. 175. W.N.S.

at

At the Council Chamber Whitehall 14th July 1726

(L.S.) By a Comittee of the Lords of his Majestys most Honoble Privy Council.

Their Lordps this Day taking into Consideration the Petition of the Lords Proprietors of Carolina relating to the adding some new Articles to the Instructions given to his Majesty's Provisionall Governor of South Carolina, are hereby pleased to Order that a Copy thereof be delivered to the Agent of the said Province.

James Vernon

The above are true Copys of the Original Order and Petition having been Carefully Examined therewith this 18th July 1726 ℘ me

Jno. Sharpe

To the Rt. Honoble the Lords of the Comittee of Councell.

The Humble Memorial of Richard Shelton Secretary to the Lords Proprietors of Carolina.

Sheweth/ That by the comands of the Lords Proprietors some time since your Memorialist did present to his most Sacred Maty a Petition from ye said Proprietors humbly requesting that certain Articles might be Inserted

Inserted in the Instructions of the Provisional Gov-
-ernour that should be sent to South Carolina.

That the Lords Proprietors are Informed the said Petition stands referred to your Lops who are to Consider of the same and Report your Opinion thereupon to his Maty.

That your Memorialist is directed to Intreat Your Lops to Appoint a Short day to consider of the said Petition and he is also Ordered humbly to Acquaint your Lops that if any Doubt be raised as to ye Justice or Reasonableness of the sd Petition, or any other Right granted to them by their Charter the Lords Proprietors have fee'd Councell to attend your Lops in Order to give Your Lopps all the satisfaction that can be required.

All which is most humbly submitted

July the 25. 1726. R. Shelton

No 3. To the Kings most Excellent Majesty.
The humble Petition of the Council and Assembly of this Your Matys Province of South Carolina.

That in April 1725, We Transmitted to Mr Yonge Our Agent in Great Brittain an humble Pet-
-ition

-ition to Yor most Sacred Majesty in behalf of our
selves + the whole body of Your Majestys Subjects
of this Province setting forth the dangerous state
the Province was then in, and the Advantage there
-of to the Crown of Great Britain, And beseeching
that Your Majesty would be graciously pleased to
take their Weak and Dangerous Circumstances under
your Royal Consideration and Continue us under
Your Matys Protection and Imediate Government
and Grant us Forces sufficient to Defend Your Do-
-minions + Support ourselves against our Numerous
Enemyes + that Your Maty would be Graciously
Pleased to Issue Your Royal Orders that Effectual
means may be taken to Ascertain the Boundaries of this
your Province towards the Government of North Carolina
To which Peticon We humbly crave that Your Matys
would be referred.

That it is with the utmost Concern that since
Our application to Your Maty for relief, We are informed
by Our agent that ye Lords Proprietors have Petitioned your
Maty that they may have your Royal Approbation of the
Person by them appointed to be Our Governor That as Your
Matys Loyal Subjects in Carolina must Unavoidably
Suffer and in all Probability that fine Country be
lost

lost from your Majesty Dominions in America if they should be so Unhappy as to again be under the Government of the said Proprietors Give us Leave most Gracious Soveraign to renew our Supplications to your Maty for Continuing Us under Your Imediate Protection and Government.

That Your faithfull Subjects pray leave again to referr themselves to their humble Representation to their Excellencys the Lords Justices in ye Year 1720 Wherein the Greivances they then lay under were fully made appear wch Induced Your Majesty to appoint a Governr over Us, and to Ordr Your Matys Attorney Genll to Sue out a Scire Facias against the Lords Proprietors Charter; and we humbly Pray Your Maty that the same reasons are still Subsisting. That ye Lords Proprietors by their Ltre dated ye 8th of July 1715. did Confess that without Your Maty would be graciously pleased to Interpose and send Men, Arms and Amunition to the relief of this Province, He could see nothing but the utter Ruin and Destruction of your Faithfull Subjects in these Parts. That in another Ltre of ye Proprietors of ye 15th of July 1715 they sett forth in Case the Money advanced by Your Maty was not paid in a reasonable time Your Maty would have an equitable right to take the

the Government into your own Imediate Protection a
Copy of wch Letters together with the Queries of ye Lords Com
-issioners of Trade wch were the foundation of them, We
humbly take Leave to Annex hereunto & from thence
and from many other concurring Circumstances, We
humbly conceive ye Diss-ability of the Proprietors to
Protect this Colony or Grant it relief in any Emergency
does fully appear for ye aforesaid reasons; And through
a deep Sence of our Loyalty & Gratitude to Your Majesty
& for the future Safety & ease of your Dutifull Subjects
of this Your Province; We beg leave to throw ourselves
at Your Feet humbly Imploring Your most Sacred
Maty that you would be pleased to continue us under
your Imediate Protection & Government That you
may long continue to Reign over Us, and when it
shall please God to call you to a more Glorious and
Imortall state that there may never want any of
your Royal Line to fill the Brittish Throne is the
Prayers of

Your most Loyal and Dutifull
Subjects & Servants

By Order of ye Lower House of
Assembly 21 May 1726
Tho: Broughton Speaker

By Consent of
his Matys Councill
21 May 1726
Arthur Middleton P.

No 4.

No 4. To the Kings most Excellent Majesty.

Answer to Mr Sheltons Memorial together wth Reasons humbly offered to ye Rt Honoble the Lds of ye Comittee of his Matys Council for contin-uing the Province of South Carolina under ye Government of His Maty.

In ye first Paragraph of ye sd Mr Sheltons Re-presentacon he setts forth ye time his Maty King Charles ye 2d was pleased to grant my Lord Clarendon & Sevll others ye Province of South Carolina wth Power of Appoint-ing Govr and other Officers wch is readily Admitted but this Charter would never be expected to endure to Perpetuity unless the Grantees were always willing & Capable to support & Defend his Matys Subjects living within ye Territory of ye sd Grant from their Avowed Enemys. Be they either Christians or ye Inhumane & Barbarous Salvages Incircling ye sd Inhabitants, and that this they have Neglected & refused to do Notwithstanding ye repeated Application of those Unhappy Setlers under ye greatest Calamity there are many Flagrant Instances of but more particularly in ye Late horrid Indian Warr when no less then 280 of ye Kings Industrious Subjts Lost their Lives being Butchered by ye Indians & this refusall & Neglect nay Equivocation or Imposicon on his

his Maty will hereafter appear for reasons of ye like Nature was ye Charter Granted to the Company Trad-ing to Virginia in ye year 1584 dissolved by his Maty King Charles ye first at his first coming to ye Crown in the year 1626 Reducing ye Country and Governmt under his own Imediate Direction & appointing ye Govr & Councell himself & Ordering all Process & Patents to Run in his Name so Tender was his Maty of ye Lives of his Distressed Subjts abroad much more to be regarded then ye Clamour of a few who assume to say in ye like unhappy and Unwarrantable Circumstances when his Maty appointed a Govr over us That no mans pro-perty under ye Crown can be safe.

To ye Second Paragraph your Maty may please to observe that although at ye first Settlemt of this Province ye Lords Proprietors did send over some Familys in Order to Settle their Lands Undoubtedly wth a view of Raising their own Fortunes but far short of Mr Sheltons suggestions & that ye Provisions & other Tools given out of ye Proprietors Stores to ye People & their Lands were Undoubtedly paid for by their Industry in ye Produce they made as appears by their Lops In-structions to their then Govr A Copy of wch Instructions to Receive ye same is Transmitted to our Agent, and in

in Process of Time by great Applicacon They have arrived to a Plentifull Subsistance wth the Conveniency of Life wth out any Encouragemt from ye Proprietors so that Mr Shelton's Insinuacon of ye sd Proprietors bringing ye Country to such a Scituacon that it could Defend it Self agt ye Indians French & Spaniards is Notoriously Groundless & cannot be Supported by any Proof since it is obvious to all ye World that they arrived to their present Scituacon by their own Industry & Pains, But Mr Shelton has forgot since their Lops by their Lre in ye Year 1715 Acquainted ye Board of Trade that ye Proprietors continually supported & Defended ye Governmt when attacked by ye French or any other Enemys since now he says they Defended themselves, But this is not ye only Disingenious dealing as will in ye Sequell of this Answer Appear.

The fourth is of an Extraordinary Nature wherein ye Inhabitants Acting for their Preservacon & taking ye only means to be Protected in their Lives & Properties is Called Turbulency & ye Proprietor's Govt destitute of Assistance in ye Cause of ye Proprietors is Invidiously reflected on wth out ye least shadow of Reason, But that this Memorial may not exceed its due bounds we crave Leave to be referred to our Griev-

-ances

-ances to their Excell^cies ye Lords Justices in Council where all ye just reasons are given for those Proceedings, a Copy of wch is herewith likewise Transmitted to our Agent

What ye sd Shelton calls an Indulgence to ye People of Carolina of obtaining an Order for bringing a Scire facias agt ye Proprietors Charter was of right granted them on their just application to yor Maty in Council & wth ye Strongest reasons could have been Supported, founded on ye Unsteady & Unwarrantable Governmt of ye Proprietors as well as their Unwillingness & Incapacity to afford Sufficient help to ye Inhabitants when most in danger, and if they did not think fit to Prosecute ye sd Scire Facias It was because your Maty was graciously pleased to appoint a Govr & wth him to send an Independt Company of Foot of an 100 Men after wch they had good hopes to beleive that yor Maty would never suffer your Loyal Subjects of this your Province to be put undr ye Dominion of their fellow Subjects who in many Instances (and even of their own Confession) could not afford them relief.

That Mr Shelton's Allegacons in the Sixth Paragraph wherein he Charges Genll Nicholson wth disposing of sevll Considerable Tracts of Land & Cutting down

down ye most valuable Timber & applying ye same at his own Pleasure have no manner of Foundacon It being Notorious to all ye Province that were the Lds Proprietors Land was at any time Concerned he acted wth the Utmost caution & Declared that he had nothing to do wth ye Soyle but ye Governmt, only that he never attempted to sell or dispose of one foot of ye Lds Land except a Quantity of Land set apart by an Act of ye Genl Assembly of this Pro-vince about 150 miles from Charles Town at a place where there is a Garrison Setled called Fort Moore for ye Encouragemt of persons to Settle on ye Frontier wch by ye sd Act was to be purchased & Paid for by ye Publick but by ye reason ye Lds Proprietors did not grant Lands it was never putt in Force nor ever had in Possession or any Person for him any Timber during his Governmt unless Mr Shelton means in his former Charges ye spot of Land on wch Fort King George is Built by his Maty's express command & in ye latter some Cedar wch Mr Nichol-son was pleased to send to ye Parish Church of St Martins in ye Feilds which he Purchased & paid for to those People who many years before had bought ye Lands on wch ye sd Timber was cut

cutt, of ye Proprietors nothing can be plainer then
that ye Proprietors had ye means & method of
Recovering their Quitt Rents in that Gentleman's
Governmt as in their own Courts of Law being
always open & no man Impeded in ye Prosecution
of any Claim for ye Recovery of his Right and
the Lds Proprietors by an Act passed ye 16th March
169 5/6 Under ye hands of John Archdale Esqr to
ye rest of ye sd Proprietors Deputys (by which ye
Price of their Lands are ascertained) have a Par
-ticuler Method Prescribed for ye Recovery of their
Quit Rents wch Acts is Still in Force & might
at any time if ye Proprietors thought fitt have
been made use of against any Persons who were
their Debtors for Rent Indeed in his Maty's Govern
-ment ye People might reasonably expect a fairer
Tryal in any Contested matter wth ye Proprietors
then when there Officers where at ye Head of ye
Courts of Law & equity but from hence (and
wthout any reasons to Insinuate that they were
kept out of their Rents by ye sd Governmt is
not Consistent wth that Ingenious dealing &
Difference due to your Maty & that he turned
out all the Proprietors Officers is not fact since
he

he appointed Six out of Twelve of His Matys Councel
who were actually Councell to the Proprietors
at ye time of ye Revolution & there is but one
Gentleman in the Council who held any Office at
that time He also appointed ye Proprietors Secretary
& their Navall Officers to the same Imploymts That
Mr Nicholson has hindered the Peopling the Country
is equally Groundless; And we assure your Majesty
that the greatest Prevention of ye Countrys being
better settled Proceeds from ye Proprietors refusing
to grant Lands by which Impediment it is past
doubt many good Settlers have been Disincouraged
to come amongst us ye Matter set forth in this Para-
-graph being so contrary to them & you will be
pleased to Judge of ye rest accordingly.

The Person Mr Shelton means in his Eighth
Paragraph We take to be Mr Yonge who was duly
appointed Agent for ye Province of South Carolina in
most Solemne & Authentick Manner (that is) by Act
of Assembly & in that Station hath Acted nigh four
years & in his presenting a Petition to His Maty
Praying that he will continue ye Nomination of a
Governour We humbly conceive was acting Consistent
wth his Duty & with a just Regard to ye Province

he

he represents and in Pursuance of ye Instructions given him for that purpose.

Mr Sheltons apprehension that Mr Yonge is Authorized by People that are indebted to ye Proprietors & otherwise Accountable to them for Damages done are as weak as all other Parts of his Memoriall for ye People of Carolina never denied but always were & are ready & willing to pay their Quitt Rents and therefore his affirming that it was to avoid ye Payment of their Quit Rents ye Inhabitants threw themselves under ye Imediate Protection of your Maty cannot be Justified But that it was for ye many good reasons set forth at Large in ye Greivances aforesd wch are so Cogent as to induce his Maty to Order ye aforesaid Scire Facias against ye Charter which it is humbly hoped will be Deemed a Sufficient Answer to ye Tenth Paragraph & ye first & Second Consequence drawn from it.

To ye Third reason for Rejecting the Petition we beg Leave to Answer That we humbly Presume that ye Reasons before mentioned laid before your Maty will still be of ye same Weight wth your Maty as they were when you were when you was pleased to appoint a Provisionall Govr of this Your Province, And that therefore Your Matys Goodness will still be so extended towards us to Indue

Your

your Maty to Continue us under your Imediate Pro-
-tection & Government since no Province is so exposed to
the French, Spaniards & Inhumane Indians as is South
Carolina & it is Intirely wrong to say that the
Proprietors will be deprived of their Quit Rents
under a Government by your Matys Appointment
where ye means of Recovering just Debts will be the
same as in Great Brittain Unless Mr Sheldon could
Suppose that the Kings Govr & Officers will be more
Dishonest than those appointed by ye Proprietors which
(with great Submission) we think ought never to enter into
the thoughts of any Upright man.

The Sixth reason setts forth That ye Proprietors
are in Treaty for Transporting to South Carolina Sevl
Hundred Forreigners who are Protestants, this may be true
But since ye Proprietors Treatment of Your Maty & of Car-
-olina in the Year 1715. We have no reason to expect their
complyance wth it from ye foll. Instance of ye Proprie-
-tors Conduct in ye late Bloody Indian Warr in that
Province your Maty Concerned for the Unhappy Circum-
-stances of Your Subjects Ordered Sevll Queries to be put
to ye Proprietors to know if they were Capable or Willing
to send necessary Succours to them, They Informed
your Maty they had Ordered Such Goods & Effects as
were

were in their Receivers hands wch they Conceived amounted to £ 2000 to be Imployed in procuring Arms & Amunition for ye Defence of ye Province might Induce your Maty. to beleive they had greater regard for this Province then we have experienced ye Assembly hearing of ye aforesd Promisses made to your Maty by the Pro-prietors they sent to their Lops Trear. to know if he had Recd such Ordrs but on ye Contrary ye Proprie-tors had directed him to make Imediate Remittances to them of all their effects he had in his hands and that in a Letter he had Recd from Mr Shelton not a word was mentioned of it, But supposeing it to be fact, It would Still bear no Proportion to ye advantages of your Matys Governmt. The Inhabitants are already under the greatest obligation to your Maty for sending towards their Defence & to main-tain his Matys Dominions an Independent Company of his Troops altho' Mr Shelton in so Indecent and unbecoming a Manner Presumes to call them a few Soldiers which he says are above 300 Miles from any Settlements when in fact they are not 80 Miles distant & upon our Southward Frontiers & Carolina is well assured that when his Maty knows that his subjects in this Province have Occasion as they now have of more

more Forces He will not with hold his powerfull Assist-
-ances the very Countenance of wch will give us greater
Security then all that is in the power of ye Proprietors
to do for us.

It is humbly Conceived Mr Shelton hath
greatly Mistaken ye Matter in Question before your
Maty wch (is humbly Presumed) is thus truly stated
at a time when there is expectation of a War wth
ye Spaniards who (at ye Havana) are not above four Days
sail from Carolina & have great Influence on ye Indians
whereby ye Lives & Proprietors of all your Matys Subjects
in that Province are in Iminent Dangers as well as
the Loss of so fine a Country from the Crown of Great
Brittain which is the Southward Frontiers to all the
Rest of your Matys Dominions in North America, And
when a Sett of Proprietors are not able or at least
not Inclinable at their Charge to Support them in such
Exigencies as the Board of Trade hath heretofore De-
-clared in the Year 1715. When the Government of the Pro-
-prietors was a heap of Confusion from ye first Settlement
of the Country Altering their Constitutions & form of
Governments so often that no man know the measures
of his Submissions They having signed and Sealed
no less then Five Fundamentall Constitutions which they
have

have always Call'd Unalterable and every Instruction to their Govrs containing a New Modell of Governmt and when they are full of Resentment against the Principall Inhabitants who flew to your Maty for Protection which will Ievitably create Disquiets & Contention a Valuable fine Country brought to the present Flourishing State by the Industry of its Inhabitants and Capable of Abundant Improvements but being under the aforesaid Circumstances We humbly Conceive the Question is Whether your Majesty will part with the Government & Suffer the Inhabitants to be again under a Sett of Gentlemen against whom for many years they have made Repeated and Just Complaints and have often met with Countenance having always made good their Al-legations against them and twice obtained a Scire Facias for Vacating the Charter.

This is what we humbly Conceive is Sub-mitted to your Matys Wise & Gracious Consideration as well as what little Regard is to be had to the Representation of Mr Shelton which in many Points cannot be made appear relying on your Matys Gra-cious Concern for your Loyal Subjects. The State of Carolina is humbly Submitted Praying leave to assure your Majesty that without your Matys Imediate Pro-tection

-tection and Government Carolina Cannot Subsist but must be Inevitably Lost and the French or Spaniards (in case of a War either of those Crowns) be Master of the same.

By Order of the Lower House
of Assembly 21st May 1726.
Tho Broughton Speaker

By Consent of his
Matys Council.
In Council 21st May 1726.
Arthur Middleton. P.

No 5.

No 5. South Carolina.

At a General Assembly begun to be holden at Charles Town the Twenty third day of February in the Eleventh Year of the Reigne of Our Sovereign Lord George of Great Brittain, France and Ireland King, Defender of the Faith &c. And from thence Continued by Divers Adjournments and Prorogations to the twenty first day of May Anno Dom one thousand Seven hundred and Twenty Six.

An Act for appointing an Agent to Sollicit the Affairs of this Province in Great Brittain.

Whereas there are many great and Important affairs now Depending before the General Assembly of this Province to be Solicited & represented in Great Brittain which Cannot Effectually be done without the Appoint-ment of an Agent, And Whereas the General Assembly of this Province have thought Francis Yonge Esqr to be the properest Person for the present Agent to transact and Sollicitt the Affairs of the same, We therefore Pray your most Sacred Majesty. That it may be Enacted and be it Enacted by the Honoble Arthur Middleton Esqr President and Commander in Chief of this his Majesties Province of South Carolina by and with the Consent of his Majesties Honoble Council and the Assembly of this Province and

and by the Authority of the same That the said Francis Yonge be and he is hereby Nominated and appointed Agent to Transact and Sollicitt the affairs of this Province in Great Britain.

And be it further Enacted by the Authority aforesaid That the said Francis Yonge shall and he is hereby required & directed to follow and Persue all such Instructions as he shall from time to time receive from the Governour and Council, & Assembly or from the Comittee hereafter named and appointed to Correspond with the said Francis Yonge.

And be it further Enacted by the Authority afores^d. That the Hon^oble Ralph Izard Esqr. and Coll. Fenwick Major Thomas Hepworth M^r. Whittaker M^r. Eveleigh & Captain Daniel Green Members of the Comons house of Assembly or any three of them one of which alwaies to be one of the Council, Be and they are hereby appointed a Comittee to Correspond with the said Francis Yonge, and to give him such Orders and Directions as they shall Judge for the Service of this Province (the General Assembly not sitting) and Whereas there is at present Due to the said Francis Yonge Esqr. for his service as Agent to this Province and for Money necessarily Expended in the said Service Several Sums of money, and there will Require more money to be raised towards Carrying on

on the application intended to be made to his Majesty for Continuing this Province under his Imediate Protection & Governmt.

Be it therefore Enacted by the Authority aforesaid That upon proper Accounts being laid before the General Assembly of this Province by the said Francis Yonge Effectual Care shall be taken to discharge and pay him all such sums of money as are or shall be justly due to him for his Agency and his reasonable disburments in Transacting the affairs of this Province. as also what shall be Necessary expended in Carrying on the application for obtaining the Continuance of his Majesties Government over Us.

And Whereas it is Necessary that there should be a Clerk allowed to the said Comittee of Correspondents to Draw and Transcribe all Letters and Papers which may be thought necessary to be sent to the said agent by the said Comittee Be it therefore Enacted by the Authority aforesaid That the said Comittee have power and they are hereby impowered to Nominate and appoint a fit person to be their Clerk who shall be allowed any sum not Exceeding Twenty pounds Current money of this Province to be paid out of the money appropriated for Contingences for the Services he shall do to the said Comittee

Comittee.

And be it Enacted by the Authority aforesaid That the said Francis Yonge Esqr shall be and Continue Agent to this Province untill the 17th of Aprill next and that he be and he is hereby allowed the Sum of two hundred pounds sterling money of Great Brittain or as much of the Currency of this Province as shall be Equal thereto for his Services as Agent to the time aforesaid.

Assented to ℘
Ar: Middleton
Tho: Broughton Speaker

So Carolina
Charles Town
21 May 1726.

So Carolina
This is a true Copy from the Originals in the Secretarys Office Examined the 24th day of May 1726
℘ me
Hen: Hargrave
Deputy Secretary

No 6.

No. 6 May 7th 1726.

May it Please your Excellency.

Since the Writing of my last to You a day or two ago I just now Reced from the Comissioners of Correspondence Mr. Sheltons Memorial to the Lords of his Majesties Council the which I took to be of such an Extraordinary Nature and Stuft with so many falsities that I have concluded to call the Assembly in five or six days and doubt not but to give it a full Answer, and to the utmost of my Power to support Mr. Yonge It is the Cause of the whole Province And I hope the Gentlemen Representatives will take it so and Do their Duty in it.

Charles Town
May 7th 1726.

I am Your Excellencys most
obedt. & very humble Servant
Ar: Middleton.

P.S. I am in haste to dispatch this.

To his Excellency Fr: Nicholson
Esqr. Governor of South Carolina.

May it Please Your Excellency.

Inclosed you receive the Petition of both Houses to his Majesty with an Answer to Mr. Shelton's Memorial & Copys of five Severall Ltrs Relating to that Matter together with the New Act for appointing Mr. Yonge Agent by

by which you will see what Provision the Assembly have made for his Assistance in this Affair wch is all at present possible to be done, but upon fresh Advice from Your Excellency which We Expect soon to receive, I hope we shall be capable of doing anything you shall further think proper for the good of the Province I have Proroqued the Assembly again to the Sixth of September next, but upon any Emergency I can Call them in a Week. You will also receive the Indians Journal by the ship bound to London Colonel Chicken and Captain Fitch go away to the Indians this Week in Order to Settle all matters with them I am obliged to be very short the ship being ready to sail, but by the next shall give your Excellcy a fuller Accot of all things, Be pleased to give my Service to Mr Yonge and assure him I shall be always ready to do anything in my Power to serve him I heartily wish your Excellency health & good Success in all your Undertakings I remain Sr

Charles Town
May 24th 1726

Your Excellency's most humble Servt
Ars Middleton.

To

To his Excellency Francis Nicholson
Esqr Governo^r of South Carolina.

S^r

I have this Week wrote to your Excellency by Mr John Hewlett, and in that I gave you an Account that I had now with me Sixteen of the Upper and Lower Creeks but not above five of them Headmen, as they call them. These Cheifs are some of those that have always Stood by the English Interest, and do now again assure the same I send Enclosed to your Excellency the whole discourse (or talk as they call it) that I have had with them, but as Captain Fitch is now at the Savanah Fort on his way to their Nation I have referred him to what will be said to their whole Nation by him when all their Chiefs meet in a body.

Whenever those two Gentlemen shall return from their Agency I shall be Carefull to Transmit to you the whole of their Proceedings which I hope will be much to the advantage of this his Matys Province. I assure your Excellency that I am carefull to put every thing in Practice, and in Such Order wch (with the blessing of God) will be for the present a future ease of this Colony I have given these Indians very handsome Presents, and they are perfectly well pleased

&

& shall sett out to Morrow Morning. I have at present nothing further to say but that I am./

Your Excellencys most Obedt
Charles Town and very humble Servt
10th June 1726. Ar: Middleton.

P.S./ Our Traders from there Parts where the French are, assure me that the French have a design, That upon the first Rupture with the Crown of Spain they will Attack St Augustine by sea & Land for that they want a Port on this Sea, If so We must be in a Poor Condition here

To his Excellency Fr: Nicholson Ar: Middleton.
Esqr Governor of South Carolina./

No 7. May it please Your Excellency

We cannot Omitt this first oppertunity of returning Your Excellency our Unfeigned and hearty thankes for Your Continuing to Us and this his Majesties Province in General Your accustomed good Offices as We are informed not only by a letter from Our Agent, but also by that of Your Excellencys to the Honoble the President.

Mr Yonge will acquaint You of the step We have taken & We should be Unjust to Your Excellencys Character

Character so long distinguished for taking delight in doing good, and Assisting those who are attempted to be Injured and oppressed, did We in the least Doubt of your Continuing to hono^r this Province with your best Endeavours, to set aside the Malicious Scandalous and false reflections of Mr Shelton, and to Continue Us Under his Majesties Protection and Government.

We are with the greatest regard

Charles Town   S^r   Your Excellencys very humble serv^t

21st May 1726.   Signed by Order of the Council

R: Izard.

May it please your Excellency

Having received Information from Mr Yonge our Agent That Mr Shelton in behalf of the Lords Proprietors has presented a Memoriall to his Majesty praying his approbation of a Govern^r of their appointment, and that he also lay before the Lords of the Comittee of his Majesties Councel a Representation, asserting the Right of the Lords Proprietors of appointing a Govern^r and casting several unjust reflections on this province. We therefore take the Liberty to pray that your Excellency, will be so good, to give him your Aid and Assistance in his Application to his Majesty for continuing the Province under his Imediate Protection and

ant Government.

We have drawn two Petitions to his Majesty, the one humbly beseeching the Continuance of this Government over Us and the other Containing an Answer to Mr. Sheltons Representation which by this Conveyance are Transmitted to him, and We hope your Excellency will do this Province all the Good Offices in your Power in a Conjuncture of so great Importance to this Province And we beg your Excellency to be assured that We are with very great respect

Your Excellencys most Obedt. & most humble servt.

Charles Town
So Carolina
May 21st. 1726.

Tho: Broughton Speaker

To his Excellency
Fr. Nicholson Esqr. &c

No. 8. To Governor Nicholson./

Sr./ I yesterday Recd the Honr. of yours by Captn. Omer & am heartily glad to hear by it that your Excellency is in good health, wch. I desire may Long continue to you. The Vessell being under Sail I have but little time to answer your Lre so shall Run over it as short as possible, as your Excellency very rightly observes here

here are Strong Reports that ye Proprietors will have the Government and that Coll: Horsey will be over, Indeed they have sent over in Omer a Chief Justice & Attorney Gen^ll but I will have no regard to any of these Reports, very well knowing the People I will if I can get Proofs of what you desire I am sure your Excellency will clear yourself before the R^t Honble the Lords of ye Comittee of Council, and as to the Proprietors they have been tools to their Officers there many years past and should We be so Unhappy under them again I assure you the Country's lost.

It can never enter into my thoughts that his Maj^ty will give up ye Governm^t and I will do what I can to put the People right in their Notions & of their True Interests. I am of opinion that all the Hardships you mention to me will fall on the Country in Case the Government should be altered & the Children of ye Present Generation will Curse their Fathers for it. When ye Assembly came to a Resolution to encourage ye Swiss It was for the better Peopling the Country & alwayes beleiving & desiring ye Governm^t to be in his Ma^ty and the soyle also if possible. I expect some head men of the upper Creeks down every day & then the Assembly will meet and I shall lay Yours

yours before them, but I beleive many of them are so Poisoned by the Evil ones amongst them that Little to their true Interest will be done We are like to have some Disturbance wth our Creek Indians & Coll: Chicken & Capt. Fitch are again going up to the Creeks & Cherokees once more to Settle things with them since ye burning of ye Fort You must believe ye expence is great to put things in Ordr And I will send all their Accounts in Due form; I shall take Care that ye Indians Journals shall be sent; And I assure you I take all the care I can of the Southerne Frontiers; I shall do all I can to serve Mr Yonge & get what Money I can Remitted to him, I shall make your Excellency's Complements to all the Gentlemen you mention; I had almost forgot to tell you that the Seneca Indians of New York are so bold as to Come into our Settle-ments & Kill our Neighbouring Indians, this must for the future be prevented by Treating with them at Albany

I am with the greatest Respect
Sr your Excellency's most Obedient
humble Servt.

Ar: Middleton.

Sr/

This comes by our Friend John Hewlett and as I already Answered Yours to me of ye first March last and have wrote your Excellency twice since giving you an account what we have done in Relation to the Proprietors all which you will Receive by John Hewlett who has given a Receipt for them And you will also receive Duplicates by Omer & as I have already wrote by both those so I should have no Occasion to write by this but that I am willing no Ship should go from hence without a line from me.

I don't find but the People (excepting half a Dozen) are very staunch against the Proprietors and should his Maty give them the Governmt (as I hope he will not) they will find but an uneasy time of it.

I very much long to have the affair of the Fort Setled for I have a Continual Trouble with them I hope Your Excellency will see by ye Bills paid that I have drawn for Necessarys for the Fort both before and since the burning and as for any of the Officers I will draw no more for them, I wonder I hear no more of ye Settling the Boundarys with the Spaniards at Augustine.

I

I wrote you in my former I was afraid we should have some Disturbance with the Creek Indians, and indeed it was proposed by the Lower People to Kill all the Traders but the Middle and Upper People would not come into it I have now Sixteen of ye Lower & Upper People now with me but three of them Chief men They arriving but yesterday I have not talked with them to know their Proposals Colls Chicken & Fitch are now at the Savanah Fort bound to the Creeks & Cherokees but hearing of these People coming to me they stay there for further Instructions and shall give your Excellency a full account of all Proceedings by the next Vessell I assure you Sr We shall find it a hard Task to keep these Indians in Order and should we have a Rupture with them it will be very Expensive and Endanger our out Settlements.

I have a watchfull Eye to the Southward as you desired me I think we have done all that can be to keep us under his Matys Protection & Government and if any thing further shall be thought advisable Please to let me know it and it shall be done.

June 7th 1726.

I am Sr
your Excellencys most Obedt
& most humble Servt
&c:

Ar: Middleton

The 17th of this Month will be a Years Sallary due to me and I desire your Excellency will see it paid./

I doubt not ye Reverend Mr Guie has given you a full Account of ye Behaviour of our Clergy at their Last meeting when they were desired to Petition His Majesty to Continue his Governmt to us

Ar: Middleton.

Letter (A.) To the Rt Honble the Lord Presidt & the rest of the Lords of ye Comittee of his Matys Council

The humble Representation of Richd Shelton Esqr Secretary to ye Lords Proprietors of Carolina on their behalf & by their directions

Sheweth./

(1.) That in ye year 1663. his then Maty King Charles the 2d was pleased to Grant to Edwd Earl of Clarendon & Sevll other Patentees & their Heires the Province of Carolina together with the Power of appointing Govrs & all other officers with many other Priviledges & advantages for Propogating ye Christian Religion & ye Encouragement of Trade & Comerce and Constituted them &

& their Heirs & assigns sole & absolute Lords Proprietors thereof.

(2) That in Pursuance of ye said Lres Patents ye sd Lords Proprietors did at their own Costs & Charges enter upon ye st Province & Procured many hundd Familys to be setled there & without having any assistance from ye Crown did bring ye said Colony to such a Scituation That in ye late War South Carolina was not only able to Defend itself agst ye Indians & the attacks of ye French & Spaniards but to attempt ye Seige of St Augustine; and before ye sending Mr Nicholson Provisional Governor the Dutys Arising from Rice & other Comodityes Imported from thence amounted annually to about £6000 Sterling and the said Province Consumed ye Produce of England more then £12000 ℘ ann.

(3.) That in ye year 1720 The Directors of ye South Sea Company made some Proposalls for purchasing ye sd Province which by Reason of a Minority of Sevll of ye Proprietors could not be then Effected.

(4.) That it so happened in ye same year whether by the Turbulency of ye Inhabitants, or ye mistakes of ye then Govr or some other Reasons wch doth not all Effect ye Proprietors Right some of ye Inhabitants took upon them to set up a Govt of their own wch the Govt of ye Proprietors

Proprietors to save ye Effusion of Blood did not oppose
(5.) That ye Persons who set up ye s^d Govr were so farr
Indulged as to obtain an Ord^r for bringing a Scire
Facias against the Proprietors Charter against w^ch
ye Proprietors never Petitioned for any Noli Prosequi,
being convinced that they had done no Act to Forfeit
the same, Howbeit his Maty was pleased to appoint
Mr Nicholson as Provisional Govr till ye Matter of
ye Scire Facias was determined which the Persons
who obtained ye Order for ye same, did not in any
sort Prosecute, but suffered the Legall time for Pro-
-secuting the same to Elapse.
(6.) That out of ye Great regard to his Matys appoint
-ment the Proprietors never applyed to have ye said
Mr Nicholson removed or Recalled tho' he took upon
him to dispose of sev^ll Considerable Tracts of Land
& Cutt down ye most valuable Timber & applyed y^e
same at his Pleasure & not only so but ye Proprietors
have been kept out of their Quit Rents wch have
accrued since his being appointed; and the great
arrears then due, and such has been ye Conduct of
ye said Govr; that he has Displaced all ye Proprietors
officers & discouraged all ye Inhabitants from paying
ye Proprietors their just Dues and he has not only hindred
y^e

ye Peopleing ye said Province but many of ye most Considerable Planters declare they must leave the Country if he be permitted to Return.

(7.) The sd Govr Nicholson being now here & Charged with a great Number of Complaints by ye Inhabitants & Merchants The Proprietors in Justice to that Country & themselves have humbly Recommended Samuel Horsey Esqr for his Matys approbation to be their Govr according to ye Act of Parlt in that behalf.

(8.) That a Person who now Pretends to be Agent for ye Country & sd also to Act as Agent for Mr Nicholson (tho' formerly Retained in ye Proprietors Service as Surveyor Genll) has taken upon him in ye Name of all ye Inhabitants of that Country to Present a Petition to his Majesty in Council Praying that his Maty would Still continue the Nomination of a Govr and that he ye sd Agent may be heard by his Councell.

(9.) That ye sd Petition as also ye representation from ye Proprietors for his Matys approbation of ye said Mr Horsey stand now referred to your Lops.

(10.) That it is humbly represented that ye Petrs can have no Authority but from Persons who are not only Indebted to the Proprietors for many Arrears of Quitt Rents but are otherwise Accountable to them for

for Damages done and the said Agent ought as is humbly Conceived to have annexed to his sd Petition an Authentick Copy of his Pretended Instructions from ye Genl Assembly to Petition his Maty as he has presumed to do.

Therefore it is humbly Submitted to your Lordsps whether such a Petition against ye Proprietors Comon Undoubted Right ought not to be rejected, for ye following reasons.

(1.) For that ye Proprietors have an Indisputable Right to the sd Province & have without any other Interruption enjoyed the same & appointed Govrs & other Officers for more then Sixty years Past & Should a Petition of this kind have any Weight no man's Property under any Grant from ye Crown can be safe.

(2.) For that ye Proprietors are well assured That the late Disturbances were occasioned by Persons who were greatly in Arrear to them for Quit Rents & for that ye Proprietors repealed some Acts of ye Assembly Relating to paper Money & other Practices affecting ye fair Traders in wch Proceedings ye Proprietors acted by His Matys express Comand.

(3.) For that there are many Instances where Proprietors have been restored to ye Rt of Governmt even

even after a Succession of Sevll Provisionall Govrs

(4.) For that ye Proprietors have no other Satisfaction for ye great Expence they have been at in Setling ye Province but by ye Small Quit Rents wch are set wth ye Greatest care & Encouragement of ye Inhabitants & wch ye Proprietors will be Intirely deprived of unless they Retain ye Power of appointing a Govr by His Matys approbation.

(5.) That ye Proprietors Conceive Mr Horsey ye Person whom they have Recomended for to be Person Unexcept-ionable in his Character & of approved affection to his Maty & Governmt.

(6.) That ye Lds Proprietors are now actually in Treaty for Transporting to South Carolina Sevll Hundd Foreigners (who are Protestants) wch additionall Force ye Proprietors conceive to be far more Advantagious to ye Province then a few Soldiers at 300 miles distance from any Setlemt. But this Treaty will not take Effect in case Mr Nicholson be permitted to return.

(7.) That many of ye most Substantiall Inhabitants are so Intimidated by ye behaviour of ye said Mr Nicholson that they will certainly Quit ye Province in case he returns whereby ye Publick Dutys will be much lessened & ye Peopleing of that Province (The

Frontier

Frontier of his Matys Dominions in America) will be to ye Last Degree Discouraged.

(8.) That ye sd Pretended Agent very lately went on board a East India Ship in Order to take his Passage for India & proceed thereon had not ye Company given Directions to Capt Talbot his Relation to set him on Shore some where in ye Channell as a Person not belonging to their Service Which voyage it is supposed he would not have entered upon had he had Instructions from the Genll Assembly of such Moment as by his Peticon is Pretended.

(9.) That ye Lords Proprietors humbly Conceive that the Question before your Lops is whether ye Lords Proprietors shall be restored to their Ancient Right of appointing a Govr or whether the Assemblys Agent shall be permitted to take upon him (in case ye sd Agent has such Instructions) to prescribe to his Maty who he shall approve to be Govr Neither of which Point It is humbly conceived requires any Debate by Council.

And therefore your Petr on behalf of ye Lds Proprietors most humbly Prays that your Lops will be pleased to take ye matters of ye Recomendation of

of ye sd Mr Horsey & ye sd Agents Petition against ye same, together wth his humble representation of ye State thereof into your wise Consideration as they now stand before your Lops without putting ye Proprietors to ye expence of Council, it being only designed to Procure Delay./

Ri: Shelton.

Memorandum this Case is Printed & Given to ye Rt Honble the Lords Comee of his Matys Councell when they went in ye Council Chamber.

The Case of the Lords Proprietors of South Carolina.

That in ye Year 1663.

B. P. R. O. Carolina Prop^y. B. J. Vol 5. p 238

1 July 1726

Mem^dm. M^r. Thomas Lowndes having purchased of the heirs and Executors of John Price deceased a Landgraveship with four Baronys of 12,000 acres land each thereunto annexed the s^d. Thomas Lowndes being desirous to settle and improve the said four several Baronys did surrender the said Patent and in liew thereof to accept of four single Baronys one in his own name and the other three in the names of three other persons in trust for him which surrender to the Lords is as follows:-

To all to whom these presents shall come Thomas Lowndes of the parish of S^t. Margarets Westminster send Greeting Whereas the said Thos. Lowndes is seised in his demeans as of fee of four Baronys or Tracts of Land each Barony containing Twelve thousand acres of land in the Province of Carolina in America and of the Dignity and Style of a Landgrave of the said Province by Vertue of a bargain and sale from Laurence Lord and Thomas Price being the said premises which were granted by the Lords Proprietors of Carolina to John Price Gentleman by Letters Patents under the seal of the said Province bearing date the Thirtieth day of April One thousand six hundred and Eighty six and at and under the sum of One penny sterling Rent per Annum And Whereas the said Thomas Lowndes hath agreed to surrender into the hands of the presents Lords Proprietors and their Heirs the said Honor and Baronys and in lieu thereof to accept in the name of himself and three other persons vizt. Isaac Lowndes Charles Edwards and John Beresford one

one Barony or tract of land of twelve thousand acres to each and every of them at and under the yearly rent of One penny for every such Barony Now these Presents Witness that the said Thomas Lowndes for and in consideration of the premises and in consideration that the said Lords Proprietors have agreed to grant and convey to the said Thomas Lowndes and his heirs and Assigns and to each of the persons abovementioned and their Heirs and assigns respectively One Barony of twelve thousand acres of Land at one penny per annum rent for every such Barony and to contain in the whole forty eight thousand acres of Land hath granted surrendered and yielded up and by these presents doth grant surrender and yield up unto the said Lords Proprietors their Heirs and assigns All the said Four Baronys or tracts of Land in the said Province of Carolina containing together Forty eight Thousand acres together with the dignity or Honor of a Landgrave thereunto annexed or appertaining and all and every other the privileges Advantages and appurtenances thereunto belonging or in anywise appertaining and all his Estate Right Title Interest possession or Inheritance thereof To have and to hold the said Four Baronys and Landgraveships with their and every of their Appurtenances unto the said Lords Propriet^rs their Heirs and Assigns To the use of them their Heirs and assigns for ever and to and for no other use Interest or purpose whatsoever In Witness whereof the said Thomas Lowndes hath hereunto set his hand and seal this first day of July in the year of our Lord One thousand seven hundred and twenty six

Thos: Lowndes

B. P. R. O. Carolina Prop.^rs B. I Vol 5 p. 241

2 July 1726

To all to whom this presents shall come His Excellency John Lord Carteret Palatin The most Honble Henry Duke of Beaufort The Right Honorable William Lord Craven The Honble James Bertie and Henry Bertie his brother Sir John Colleton Baronet and Sir John Tyrrel Baronet being seven of the eight true and absolute Lords Proprietors of Carolina send Greeting Whereas Thomas Lowndes hath surrendered to us our Heirs and assigns a grant of Four Baronys in our Province of Carolina containing in the whole Forty Eight thousand Acres of land together with the Title dignity and honor of a Landgrave which was heretofore granted to John Price Gentleman in consideration whereof we do consent and agree to grant to the said Thomas Lowndes a Tract or Barony of land to contain Twelve thousand Acres of land. One other like tract or Barony of land to Isaac Lowndes one other such like tract or Barony of land to Charles Edwards Gentle^n and one other such like Tract of Land to John Beresford Gentleman all which Four Baronys are to contain in the whole Forty eight thousand Acres of land To the end and Intent That he and they and his and their Heirs and Assigns may hold and enjoy the same (according to their several and respective Grants) together with all such liberties benefits Immunities privileges and Advantages whatsoever as we have power to grant by virtue of the Letters Patents Granted to our Ancestors or Predecessors Now these presents Witness that we the said Lords Proprietors in consideration of the Premises have given and granted and by these

presents

presents do give and grant unto the said Thomas Lowndes his Heirs and Assigns one Barony or Tract of Land to contain twelve thousand acres of land together with all the Wood Timber Royaltys and Advantages to be had found received and taken thereby and all our Estate Inheritance use possession claim and demand of us the said Lords Proprietors of in or to or out of the said premises hereby given and granted with their Appurtenances unto the said Thomas Lowndes His heirs and Assigns unto the only use of the said Thomas Lowndes his His heirs and assigns for ever Yielding and paying to the said Lords Proprietors their Heirs and Assigns for ever the sum of one penny sterling yearly at the Royal Exchange of London on the Feast of St. Michael the Archangel forever Provided nevertheless that in case this Grant shall not be duly enrolled within the space of two Years after the date hereof in one of His Majestys Courts of Record at Westminster or in the Office of the Proper Register Secretary or in the enrolment Office of the said Province Then this present Grant shall be Void and of no effect And the said Lords Proprietors do hereby authorise and require that the Surveyor General of the Province of So: Carolina immediately within Twenty days after Notice given him of this present Grant to allot and set out the said Tract or Barony of land in any place within the said Province of South Carolina Given under our hands and Seal this Second day of July One thousand Seven hundred and Twenty six

Loco Sigilli

Beaufort. Craven. Ja: Berkle
Hen: Berkle. John Tyrrel. J. Colleton

B. P. R. O. South Carolina. B.T. Vol. 25 p. 222.

28 July. 1726.

Additional Instruction. To Our Trusty and well-beloved Fras. Nicholson Esq. Our Capt. General and Commander in Chief in and over Our Province & Territory of South Carolina in America, and in his absence, to the Commander in Chief of Our said Province and Territory for the time being. Given at Our Court the day of in the 13th Year of Our Reign.

Whereas by the 53d and 54th Articles of Your Instructions, you were required to permit appeals to be made in cases of Error from the Courts in Carolina unto you the Governor and Council in Civil Causes. Provided the Value appealed for, did exceed the Sum of one hundred Pounds Sterling, and Security first duly given by the appellant to answer such Charges as should be awarded in case the first Sentence should be affirm'd; Provided also, that if any of the said Council should at that time be Judges of the Court from whence such appeal should be made to you Our Governor and Council, or to the Commander in Chief for the time being and Council, such Councilr. or Councillors should not be admitted to Vote upon the said Appeal: But he or they might never-

nevertheless be present at the hearing thereof, to give the reasons of the Judgmt given by him or them in the Cause wherein such appeal should be made: And Whereas We Judged it necessary that all Our Subjects might have liberty to Appeal unto Us in Cases that might require the same. Our Will & Pleasure therefore was, that if either Party should not rest satisfy'd, with the Judgment or Sentence of Our Govr and Council, they might then appeal unto Us in Our Privy Council; Provided the matter in difference exceeded the real Value and sum of three hundred pounds Sterling: and that such appeal should be made within 14 days after Sentence, and that Security were likewise duly given by the appellant to answer such Charges as should be awarded in Case the Sentence of the Governor and Council should be affirmed. And Provided also, that Execution were not suspended by reason of any such appeal unto Us; and whereas it has been represented unto Us, that by ^* means of the last mentioned Proviso. Executions have been immediately issued. - Notwithstanding an appeal has been depending before Us in Our Privy Council. from whence great inconveniences have arisen, where the appellee hath become insolvent or hath withdrawn himself and his Effects from that Province, before Our Pleasure could

Note. The words underlined were struck out by ye Lords of ye Council & ye following inserted in their stead viz.

* the immediate issuing of Executions which

could be known on such Appeal. and Our Orders for reversing the Decree or Judgment Appealed from, and for making restitution of the Estates or Effects, which had been* so levy'd in Execution, have been rendered ineffectual and the Appellant left without any redress. now for preventing the like mischief for the future; It is Our Will and Pleasure, that in all cases where, by Your Instructions you are to admit Appeals to Us in Our Privy Council, Execution be suspended notwithstanding the said Proviso, until the final Determination of such Appeal, unless good and sufficient Security be given by the Appellee to make ample Restitution of all that the Appellant shall have lost by means of such Judgment or Decree, in case upon the Determination of such Appeal, such Decree or Judgment should be reserved, and restitution awarded to the Appellant.

* taken in Execution under the same.

Exd. S.G.

B. P. R. O. A & W. I. Vol. 18 p. 91.

Copies of Letters, Papers &c

From Francis Nicholson Esqr

To Arthur Middleton Esqr and

others, concerning the Affairs of

His Majesties Province of

South Carolina.

Index.

1. To Mr President Midddleton from Francis Nicholson Esqr
2. Do
3. To Mr President from Mr Sharpe.
4. Do
5. Mr Sheltons Memorial
6. Letter to Mr Presidt from Francis Nicholson Esqr
7. Letter to Mr Presidt from Mr Sharpe.
8. Letter to Mr Presidt from Fr: Nicholson Esqr
9. Letter to Ralph Izard Esqr from Fr: Nicholson Esqr
10. To the Honoble Tho: Broughton Esqr from Fr: Nicholson Esqr
11. To Mr Presidt from Fr: Nicholson Esqr
12. Do
13. Do
14. Do
15. To the Honoble Richd Arnold Esqr from Fr. Nicholson Esqr
16. To Captn Edward Malley from Fr. Nicholson Esqr
17. Bill of Laden of Arms &c.
18. Invoice of Arms &c.
19. Mr Trott's Petition
20. Mr Trott's Proposals.
21. Message with Votes from the Governor & Council &c
22. Do
23 Order by the General Assembly of South Carolina.

24. Address of the assembly of South Carolina.
25. Letter to Mr. Hammerton from Fr: Nicholson.
26. Do.
27. An Acct. of Rice, Pitch, Tarr, Deer Skins & Turpintine
28. Exportation of Pitch, Tarr and Rice &c.
29. Letter to the Honoble. Tho: Hepworth Esqr. from Fr: Nicholson Esqr.
30. To Mr. Edward Whitaker Attorney General from Fr: Nicholson Esqr.
31. To Mr. Secretary Hart &c from Fr: Nicholson Esqr.
32. To Coll. Woodward from Fr: Nicholson Esqr.
33. To Major Blakeway from Fr. Nicholson Esqr.
34. To Mr. Henry Hargrave from Fr. Nicholson Esqr.
35. Mr. Sheltons Caveat
36. To Mr. Presidt. from Fr: Nicholson Esqr.
37. Translation of a Letter from Neufchattel.
38. Do. another.
39. Mr. Splats Receipt.
40. Mr. Thomsons Do.
41. Capt. Edward Massey Do.
42. Nehemiah Partridge Do.
43. Nehemiah Partridge Do.
44. Nehemiah Partridge Do.
45. Jms. Nessant Do.
46. Jas. Nessant Do.
47. Benjamin Masters Do.

83

48. Benjn. Masters Do.
49. ---------Parkins Do.
50. Mr. Yongs Petition &c.
51. Order of Council
52. Letter to Mr. Sharpe from Fr: Nicholson Esqr.
53. Mr. Sharpe's answer.
54. Letter to Mr. Presidt. from Fr: Nicholson Esqr.
55. Capt Judge Receipt
56. Do.

1. Copy Lincolns Inn 23d July 1726.

Right Honble.

This is (God willing) designed by Mr. Platt and I hope will arrive safe to you, I herewith send you severall papers as Inclosed is a List of them by the Lords Proprietors Petition to his Majty you'l see what their Lordps aims at, Therefore I think You would do very well to have the Assembly meet as soon as Possible after the Receipt of this, Mr. Sharpe and I were last night with Mr. Attorney and Sollicitor Generall and (by his Account) you will see what they were retained for his Majesties Province of South Carolina, so that you may rest Satisfied that You have the best Councel in England as well with respect to their Officers as to their Abilities, and I am sure that Mr. Sharpe is one of the best Sollicitors both by his Capacity and Interest, I'll desire him to write something Concerning this Peticon as well as what Discourse We had last night with Mr. Attorney and Sollicitor Generall, As to the Lords first Propositions about their Quitt Rents &c. I am of Opinion the Assembly may very well Answer and it behoves me in all respects fully to do it and sett in a true light. By their Second You may see what Officers they propose to Employ which seems

seems to me to be of all sorts, But I suppose the Assembly
will think proper to make a suitable Answer thereto
Their third I take to be of a very Extraordinary a
nature and therefore it will be absolutely necessary
for the Assembly fully to Answer it in all its parts
by Mr Peter John Purrys Papers You will see what
Contrivances there are about the Swiss And I conceive
that the Assembly ought to take that matter into their
Serious Consideration and Enquire of Mr Bernod
the Minister whether he received the Letter mentioned
in the paper and what he has done upon it, at
present I find they are at a Stand in that Affair,
I am not a little glad to hear that the assembly
have behaved themselves so well in all respects, but
am sorry not to have had a particular Account
of it, That I might have made Use thereof to their
Advantage, but I hope I shall receive them in a
few days in Order to make Use of them for their
Interest &c. You all may be satisfyed (God willing)
that as I have I shall continue to do for them all
that lyes in my Power having never Spared Costs nor
pains to do what may be of Service and Interest to
the Inhabitants of South Carolina, for I do not
forgett in what manner I have so often on Severall
occasions

occasions Expressed myself, (vizt.) To use all lawfull ways and means for the Promoting of those two Inseperables his Majesties Interest and Service in that his Majesties Province of South Carolina) I now most earnestly recomend to you to take Effectual Care to transmitt hether money to Carry on your Affairs here I have Undertaken to Satisfy Mr. John Sharpe and when 'tis absolutely necessary I shall Continue to Supply him with money for that pur-pose. And what you remitt to me for that Affair I'le take Care you shall have a just and particu-lar Account of what Sums I advance. I hope in God that after you have fully stated and Considered the Lords Proprietors Peticon you will have no further concern about any such affair for the accomplishment of which nothing shall be wanting that lyes in the power of

Your most Affectionate Friend
and humble Servt.
Francis Nicholson

P. S. As to the publick and Private News I must referr you to the Bearer Mr. Platt. Captain Massey the Chaplain and Chirurgeon of the Company with some Recruits are designed from hence the 10th. of next month with them

is

is to go a Chaplain for St. Georges Parish Mr. Wragg provides a ship for them, and by them I shall Endea-vour to answer your Letters. I desire you'l please to give my most kind Service and respects to the Gentlemen of his Majesty's Honoble Councel as also to the Honoble Mr. Speaker and to the members of the Comons house of Assembly. And in doing of those things you'l continue to oblige.

To the Rt. Honble Mr.
President Middleton. F. N.

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2. Mr. President. Lincolns Inn 26 July 1726
at Mr. John Sharpes Chambers

Since the writing of the above something further has been done for which I must referr you to Mr. Sharpes account herewith sent, I thank God everything in your affair is as I desired. Yesterday morning I waited on the Duke of Devonshire President of his Majesties Councel as I have done several times before and given his Grace an Account of the affairs of South Carolina as I have also done to the Rt. Honoble the Lord Visct. Townshend the Rt. Honoble Sr. Robert Walpole and his Grace the Duke of Newcastle, and I think you would do very well to write a Letter to

Each

Each of them and return them thanks for what they
have been pleased to do on Severall Occasions for his
Majts Province of South Carolina, which letters must
be signed by yourself as president and the rest
of the Councel and by Mr Speaker in behalf of the
Commons house of Assembly or by them all, and it
is my opinion 'twould be very well if the like Letters
were writt to His Majesty's Attorney & Sollr General
as likewise to Mr John Sharpe for I think that after
so many Petitions Memorials &c have been presented
to his Majesty and the Rt Honoble the Lords of his Privy
Councel those affairs have been Transacted with the least
Expence that could be for the like Occasion, You must
take a special Care justly and fully to answer all
that has been presented to his Majesty and Privy Councel
more particularly what I now send you with the
Utmost Expedition that (if possible) I may have it
by the latter end of October or at least a Letter to acquaint
me that you are about it and that you will with
all possible Expedition dispatch it and send it to me
You must be sure to send a most Dutyfull and
Loyal Address to his most Sacred Majesty. It may
so happen that your affairs may come before the Par-
-liament, therefore you must provide for that, and I
heartily

heartily wish that Coll. Fenwicks Affair will oblige him to come hether and that he was fully Impowered by You all to lay the state of Your Affairs before whom it will be Necessary, but if he cannot some other Gentleman of the Commons house of Assembly would come hether on the same Accot. my returning to you I think will not be till after your affairs are Setled here, Except a Warr should happen with Spain or France of which here is no likelyhood. I desire you all to believe without repeating the particulars of what is above written I shall (God willing) Endeavour to perform whenever it shall ly in the power of him who is

Your most affectionate Friend
and Faithfull humble Servant
Francis Nicholson

To Mr. Presidt. Middleton

P.S.

I desire that you would be pleased to Comply with what is desired in the postscript of the Letter of the 23d. by F. N:

3. Right Honoble:

By his Excellency General Nicholsons Command I beg leave to accompany his packet with these lines to assure you of my utmost Endeavours to promote the Interest of Carolina and to defend them from the attempts now making by the Lords Proprietors which as We have hitherto defeated so I hope we shall Continue to do You'l find in the General's Letter a new Peticon from the Lords Proprietors, which though in appearance it seems to be a giving up the point Contended for, in their first is in reality & in Effect praying the same thing for all the power and Exercise of Government and appointing of all Officers and making all Laws &c is what by this Petition they would have vested in them but I shall beg leave in Generall to observe very shortly on each Paragraph of the Peticon as foll:

As to the first Paragraph That the Governor should be commanded to assist the Proprietors in their Demands of their just Rights and Dues granted them by their Charter. This might be of very dangerous Consequence First, As it would be in Effect for the Crown to Establish the Charter to be a good one (and with an Artfull view of this Nature We apprehend this peticon to be referred) and then in Consequence hereof

hereof they would hereafter Claim the Governmt. to, and so bring all your former miserys upon you, and Secondly it would involve the whole Province in Confusion, and all the persons that were Concerned in the late Revolution must Expect to be harrased and torn to peeces, And then it is further material that in this Paragraph they pray all Differences should be heard in the Comon Course as others are and not be hurried on by such an Undue Perferrence which may be attended with many Inconveniences.

2dly. The Second Paragraph is of an Extraording Nature and if Complyed with would strip the Kings Governor of all power and vest it in the Proprietors Officers & leave his Majesties Representative, a Governor without hands or feet, but this Indeed more Imediately relates to the Crown, otherwise then as Carolina may be affected by having the Administration in the hands of Officers appointed by the Proprietors and which they have the greatest reason to oppose.

3dly. The third Paragraph seems greatly to affect the Inhabitants of Carolina and shews what the Proprietors would do had they the power in their own hands for then they would be directors of the Law and would Immediately turn out all whom they should deem

Intruders,

Intruders, and that without any due or Usual Course of Law but in a Sumary way which is Evidenced by their praying the Kings Governor may be directed to turn those Illegal Intruders as they Call them out of Proprietors Lands and restore them thereto, and who they might deem Intruders if it was thus left to them to determined without any Just Tryal no body can tell, And surely such Instructions as those instead of Settling the Peace and happiness of Carolina would involve them in Confusion and misery, and instead of supporting the just rights of the proprietors would be Undermineing the Rights of the Crown Invading the Properties of the Present rightfull possessors and give the Proprietors a right where they had none before.

These are my present thoughts hastily delivered on this Petition and by what I can apprehend from discoursing the Attorney and Sollicitor General hereon their Sentiments agree herewith and I make no question that these short hints will be Improved to much better Advantage in Carolina.

Lincolns Inn 23d July — I am with all Possible respect
To the Rt. Honble. — Honord Sr. Your most Obedt. Faithfull
Mr. President Middleton — humble Servant, John Sharpe

4. Right Honoble

Since my writing my Letter The Lords Proprietors Sollicitor and also the Sollicitor for the merchants against the Generall gave me the Underwritten notice to move for hearing the Complaint against him but instead thereof Mr Shelton presented the Under-written Memorial and at the same time the Lords Proprietors without giving any Notice to the General or Mr Yonge or myself as they ought to have done moved very strongly for a Speedy day to take their said last Petition into Consideration according to the prayer thereof, But General Nicholson and myself being then Attending at the Councel Office on the Notice against him, they were dis-sapointed, for my Lord President Ordered the General and me to be Called in, When tho' both Mr Shelton and the two Mr Berties pressed the affair all in their power, The Lords were pleased on what the General and I offered to their Consideration to be of Opinion it was reasonable the Province should have time to answer the Same, And for that purpose put of the Consideration of the Proprietors said Petition till October when in all probability both the Peticons may Come on against which time therefore you will if possible get an Answer returned to their Second Petition.

I

I am with all possible respect

Lincolns Inn 26 July 1726. Honord Sr

To Mr Presidt Middleton. Your most Obedt Faithfull humble Servant Jno Sharpe.

P. S. I refer you for further particulars to the Governrs two Letters herewith sent

Mr Sharpe

I shall on Monday next apply by Petition to the Lords of the Privy Council to have a day appointed for hearing the Complaints of the Merchants against Govr Nicholson of which I give you this Notice and am

July 23d 1726. Sr your humble Servant

H. Watson

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5. To the Right Honoble the Lords of the Comittee of Council.

The humble Memorial of Richard Shelton Secretary to the Lords Proprietors of Carolina.

Sheweth. That by the Command of the Lords Proprietors some time since your Memorialist did present to his most sacred Majesty a Petition from the said Proprietors humbly requesting that Certain Articles might be inserted in the Instructions of the Provisional Governor that should be sent

sent to South Carolina.

That the Lords Proprietors are Informed the said Petition stands referred to your Lordps who are to Consider of the same and Report your Opinion thereupon to his Majesty.

That your Memorialist is directed to Intreat your Lordps. to appoint a short Day to consider of the said Petition, And he is also Ordered humbly to acquaint your Lordps that if any doubt be raised as to the justice or Reasonableness of the said Petition or any other Right granted to them by their Charter, the Lords Proprietors have Feed Councel to attend your Lordps in Order to give your Lordps all the Sattisfaction that can be required.

All which is most humbly Submitted

26th July 1726.

Ri: Shelton

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6. Rt Honoble

22nd August 1726 from Mr Sharpes Chambers in Lincolns Inn

This is designed God willing by the Honoble Captain Edward Massey concerning whom I have already wrote you a particular Letter and I have herewith sent you a Triplicate of Letters, Papers &c. though I hope in God you have received my former Packets together with the

the Representation and Case of the Lords Proprietors marked Letter (A.) in which you will find some difference between their Representation to his Majesty and their Printed Case which you may make use of as shall be thought proper.

Letter (B.) is an Accot of Stores from Great Britain &c. sent by the Lords Proprietors. Letter (C.) is an Invoice of Arms &c sent by the Crown, by these two Accots you will see what has been sent to the Country & I think you will do very well to have a just and full Accot of what is become both of those sent by the Crown and also by the Lords Proprietors, and to send the same hether as soon as Possible signed by your-self in Councel. I have already apprized you concerning what I wrote to Mr Hammerton the Naval Officer, and I desire that Accot may be dispatched hether by the way I proposed which may be of very good Service to the Country to show the Increase of Trade since the Province came under His Majesty's Government I also herewith send you the Copy of a paper drawn up by my very good friend Mr Sharpe after severall meetings with Mr Trott, but We found he either Could not or would not make out a good Title to the two Proprietorships which

which if he had you will see how near I was becoming a Purchasor of them.

All your letters &c I carryed to his Grace the Duke of Newcastles Office but as yet nothing has been done, nor I suppose hardly will till they have a full Answer from Carolina concerning what I and the Honoble Francis Yonge and Mr Sharpe have and do now write to you.

Mr Yonge has got from Mr Sharpe a Copy of the state of the Case which was a Considerable time since laid before the Honoble his Majesties attorney & Sollr General for their Consideration and Opinion thereon by which you will see upon what footing We had put the Case, before your Answer to Shelton's Memorial arrived, and what pains Mr Sharpe had taken in drawing it up, and I hope it will be some help to you in forming your answer; I have just wrote to the Honoble Mr Izard and Coll. Broughton in Answer to their kind and obliging Letters and to which I desire to refer. What you have done by your Peticon to His Majesty and your Answer to Shelton's Memorial is very well approved of by all that wish well to His Majesties Interest and Service and that of his Service of South Carolina. And I hope in

in God that you will soon send the finishing stroke for I take either the good or bad fate of Carolina depends on the defence you send over, be it by Answer Peticon or otherwise I suppose it will be determined either by His Majesty in Counil, at Westminster Hall or in the Parliament, Therefore you must prepare yourselves Accordingly. I have already given Copies of your Peticon Address, and other Papers to the Rt Honoble the Earl of Westmorland first Lord Commr of the Board of Trade as likewise to my Lord Bishop of London and shall do the same to the other Lords of the Ministry and Councel to both whom I think your Country ought to give thanks for what they have already done, and desire the continuance of their protection &c. And I think you would likewise do very well to write to the Honoble Charles Delafay Esqr and Temple Stanhope Esqr the two Chief Secretarys to the Duke of Newcastle upon the said Accot: As for my own part I can only repeat to you that as I have hetherto spared neither cost nor pains, so I shall for the future Continue the same God willing for the promoting those two Inseparables his Majesties Interest & Service and that of South Carolina.

I must now referr you to what the Honoble

Francis

Francis Yonge Esqr. and Mr. Sharpe our Sollicitor writes you, to most heartily wishing of you all abundance of health & Prosperity in all respects I remain

Your most Affectionate Friend
and Faithfull humble Servant
Fr. Nicholson.

To the Honoble
Arthur Middleton Esqr.

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7. Rt. Honoble

His Excellency Generall Nicholson having been so kind as to inform me of his writing by Captain Massey to Carolina. I could but beg of him to find room in his Packet for these lines, that I might acquaint you I had perused your Answer to Mr. Shelton's Memorial and your Peticon to his Majesty with several papers thereby referred to, and Greatly think you have taken Shelton's Memorial to peices in the best manner possible & made it appear in its true and proper Colours, all your turns on this Memorial are strictly just and Gracefully Severe your Reasoning throughout is strong and Nervious and a becoming Spirit runs through the whole, & all possible Care & Endeavour shall be used by me to prevent any part of your Defence in the least Suffering by my management, but I shall bend all

my

my Study & thoughts how to give an additional thought to it (if that be possible.)

The Generall and Mr Yonge thought it might be proper to send you a Copy of the State of the Case as I had drawn it and laid it before the Attorney and Sollr General some considerable time since for their Consideration and Advice and which I gave Mr Yonge for that purpose this morning by which you will see by what a footing we had put the Case before your Answer so arrived, But they having furnished us with several things very material which I was not acquainted with before, Copies of them was made and laid before the Attorney and Sollr Generall to peruse and Consider with the Case before left, and I may I believe venture to say that taking both together they have the whole Case before them.

The Copies of the Representation which were annexed to the Case for the Attorney and Sollr General are not annexed to the Copy I gave Mr Yonge they having been sent to you by former opportunitys.

The Copies of the several Letters from the Lords Proprietors to the Board of Trade and from the Board to the Lords Proprietors with the Report of the Board to Mr Secretary Stanhope transmitted by You are

vastly

vastly material and will in a Great measure help us to Confound the Lords Proprietors present Schemes out of their own mouth, and I shall take care to make all proper Use of them.

Mr. Presid.t Middleton

I hope your answer to this Last Memorial (on which I offered you some hasty thoughts of mine in the last letter I did myself the Hono.r to write you) will shame the Lords Proprietors from their present Attempts, or at least the Great the Noble stand that is made by you against the Proprietors Regaining their ill Used Power Attended with a most Strict Unanimity and supported with a resolution suitable to the greatness of the occasion, will I dare Prophesy Cause them to dispare of any Success if not Induce them at Once Voluntarily to resign the Government for ever into the hands of the Crown to attain which permit me S.r to assure you no Pains or Zeal shall be wanting that Can be Used by

Hon.rd S.r

Your hono.rs most faithfull and most Obed.t humble Serv.t

John Sharpe.

R.t

Rt. Honoble

The above is a Copy of my last to which I have nothing to add but that herewith is sent another Copy of the State of the Case in the above-mentioned to Assure that I am

Your honors

October 5th. 1726.

Most Faithfull and

Most Obedient humble Servant

Jno. Sharpe

London August 22d. 1726.

8.

Nine a Clock at Night

Rt. Honoble

I am just come from Mr. Sharpes Chambers in Lincolns Inn where I have made up a pretty large Packett for You to which I must referr You for the Publick Affairs, as to what You have writt Concerning them I can say nothing to it at present, as for the Sallary I hope very speedy to be able to make up the Accots. with the Honoble. Kinsmill Eyre Esqr. tho' they cannot properly be done but once a Year, but I hope to get Mr. Eyre to pay Mr. Harwood some part of Your Years Sallary.

I herewith send You Copies of some Papers which I found Concerning Mr. Trott & I think the assembly

Assembly was so hasty in paying of him the thousand Pounds and what you had from him for that money You must take care to have it secured well and not made Use of upon any Accot. till his Majts. Royal Pleasure is known thereupon what you did in making use of 2000 pounds of the Printed Bills for rebuilding Fort King George &c. I hope will not be disaproved of neither if you expend the like sume or more for the fully Compleating the said Fort &c.

There is very much wanted your last Tax Bill with the Journals of the Honoble Comons house of Assembly, and you must take Especial Care of those Journals with those of the Council in Assembly, and of the Council, to be transmitted with Duplicates thereof by the first oppertunity as likewise the Journals of the Commrs. for Indian affairs, as also the Treas Accot. with the Particular Accot. of what Bills have been burnt what Specie, as likewise what of them remains, for without those Accots. it will be impossible to lay the true state of the Affairs before the Ministry, which no doubt will be required when they enter into the Affairs of his Majesty's Province of So. Carolina.

I

I hope that long before this the Honoble Mr Skeene hath received the Money of Consellire, for tho' he should have got his bond by Clandestine ways as I suppose he did a principal paper out of the Court, (Mr Whitaker knows the whole case) yet I think the Accot he gave under his hand will be sufficient to oblige him to pay the money, and Mr Skenes receipt for the same in Councel will be a sufficient discharge for that Bond. If this Accot cannot be made an end of with you it must be brought hither by an appeal where I hope he will not only be obliged to pay the money but the interest thereof from the time Mr Skeene had his Commisn and Consellire had my Order to pay him the money pursuant to the said Commisn I think my-self in duty bound to see his Majesty have Justice in that Affair and I desire you would acquaint both Mr Skeene and Consellire of what I now write to you And that the Attorney General give an Accot what is done therein and pray be pleased to acquaint the Honoble Alexander Skeene Esqr that I will do him all the Service that lyes in me upon the Affair of the Treasurership, but the sooner I have a just and full Accot of that Affair it will be the better for him

It

It now grows late so I must take leave of you till another safe oppertunity presents, which I hope in God will not be long, in the Interim

I remain

Your Most Affectionate Friend
and Faithfull humble Servant
Fr: Nicholson.

P.S. I desire you would be pleased to give my most humble Service to your good Lady with my kind respects to the rest of Your Good Family and I hope in God you are all in Perfect State of health and Prosperity in all respects & will so Continue which to hear of will be very Acceptable to

To the Honoble Fr: N.
Arthur Middleton Esqr

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9 Honoble Sr London 22d August 1726.

I have had the good fortune to receive your most kind obliging Letter of the 21st of May, and I desire you and the rest of his Majestys Honoble Councel to accept of my most hearty thanks for the said Letter, and I have with the Utmost Satisfaction received your Petition to his most Sacred Majesty and likewise your Answer to Shelton's Memorial &c.

I

I have and shall God willing fully write to the Honoble Mr. Presidt. Middleton Concerning the Affairs of his Majestys Province of South Carolina. I doubt not in the least but that You will continue for promoting those two Inseparables that of his Majts. Interest and Service, and that of his Majesties Province of South Carolina which you have always done but more particularly in your last Sessions of Assembly, knowing that Mr. President will lay before You what I write or send to him I will not trouble you with a repitition thereof but desire You to believe that nothing shall be wanting that lyes in my power in doing any of You the least Service. I shall look upon it as a piece of good Fortune when any thing Offers wherein I may manifest it by my actions, in the Intrim I do assure you that I am with all Sincerity

Your most Affectionate Friend and
To Ralph Izard Esqr. Faithfull humble Servant
Fr: Nicholson.

P.S. Honoble Gentlemen

I desire You will be pleased to give my humble Service to all your Spouses and the rest of Your good Families I hope in God You all are and will Continue in

in perfect health and Prosperity in all respects which to find or hear of will be most acceptable to

F: N:

This will God willing be delivered to you by the Honoble Capt. Edward Massey Concerning whom the Company, and Fort King George I have fully writt to Mr President Middleton, and I recomend him to You Gentlemen for Your Favour and Assistance, and I believe You will find him a Gentleman very well Quallifyed in all respects I have given him a Guinea as I have done another to Mr Splatt to drink with Mr President and Your Selves, and when it is doing to be present with You would be acceptable to

F: N:

I hope the Burton Ale I sent by Capt. Clarke for You proved Good for Mr Samuel Wragg undertook for it.

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10. Honoble Sr — Copy. — London 22d August 1726.

It was with a great deal of Pleasure & Satisfaction when I received your very kind and Obliging Letter of the 21st of May last for which I desire that both yourself and the rest of the Honoble Members of the Commons house of Assembly of his Majts Province of So Carolina will be pleased to accept of

of my most Cordial thanks, and I desire you all to believe that as I have neither Spared Cost nor pains for the promoting the welfare & Prosperity of those two Inseperables, That of his Majesties Interest and Service and that of his Majesties Province of So Carolina So I shall God willing Continue to do the same, You having always but more particularly in Your late proceedings obliged me to do so.

Your Peticon to his most Sacred Majesty and Your answer to Shelton's Memorial I Esteem to be Extraordinary well done, and I hope in God it will have a Good effect for your Welfare. I think you have done his Majesty Justice and Your selves too both in the Petition and the Answer, and what you were pleased to do Concerning myself, is a fresh Instance of doing me Justice for which I must also desire you to Accept of my most Gratefull thanks

Honoble Gentlemen of the Comons house of Assembly of His Majts Province of So Carolina

I hope you will be so kind to yourselves in General and to me in particular when I can be any way in the least Serviceable to you as a body of Gentn or as particular ones That You would let me

me know it, And if it lyes in my power upon Notice thereof it shall cordially be Complyed with by him who is

Your Affectionate Friend & Faithfull humble Servant

Fr: Nicholson.

To the Honoble

Tho: Broughton Esqr.

P.S. I hope in God that all yourselves & Good Families in General but more particularly your Bedfellows (to all whom pray my most humble Service) are and will continue in a perfect state of Health and Prosperity in all respects which to find or hear of will be very acceptable to

F: N:

I have and shall God willing write fully to the Rt. Honoble Mr President Middleton & shall send him severall Papers which I suppose he will Communicate to you so will not trouble you with a repetition of them, And the Honoble Fr: Yonge Esqr. writes to your Comittee of Correspondence.

I hope in God this will be delivered to you by the Honoble Capt. Edward Masey concerning whom the Company and Fort King George I have fully wrote to

Mr.

Mr President Middleton and I recomend him to you Gentlemen for your favour and Assistance & I believe You will find him a Gentleman very well quallifyed in every respect I have given him two Guineas as I have done two others to Mr Splatt to drink with yourself and the Honoble Gentlemen of the Comons house of assembly and when it is doing to be present with you would be acceptable to

F: N:

I hope the Burton Ale I sent by Capt. Clarke for you proved good for Mr Wragg undertook for it

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11. Rt Honoble Copy London 8th October 1726.

This is designed God willing by Mr Partridge and Inclosed is my Letter to the Honoble Capt Edward Massey which when you have perused I desire you would Seal up & give him, and I hope that the affairs of the Company and Garrison &c will be fully Compleated in a Short time after Capt Masseys Arrival with you because the Certainty of those affairs are much wanted here in Order to have proper measures taken Concerning them. for I think with-out an Acct from you nothing Can be further done here.

S

I hear that 'tis confidently Reported with you that Coll: Horsey was appointed Govern^r. of South Carolina and that it was in the publick print It might be so and done either by himself or Shelton, but I was very much surprized to hear that the Honorable Captain of his Maj^ts. Man of War with you should confirm that news when he came from Virginia, for my own part I don't wonder that they endeavour to keep up their Sinking Interest by reported Lyes, for by what I learn nothing will be fully determined in the Affair of your Government till please God a just and full Acco^t comes from your Assembly &c. Therefore I hope you will be very Expeditious in that Affair as I formerly writt you.

The latter End of next Week M^r. Wragg tells me he shall dispatch a Shipp to your parts, and Capt. Meffant tells me he shall be going about the same time, by both whom I design God willing to send you Duplicates and Triplicates of what I formerly sent you, as likewise some other papers &c. for I am often with Mr John Sharpe our Sollicitor consulting about our Affairs, and I have not ventured since I came here to lye out of Town only one night at my first Comeing, because some-

-thing

-thing might have intended to be done prejudicial
to his Maj^ts Province of So Carolina for as I have
so I shall God willing Continue to Spare neither
Cost nor pains for the promoting of those two Insepar
-ables his Majesties Interest and Service, and that of
his Maj^ts Province of So Carolina, Nothing God willing
shall be wanting that lyes in the power of him
who is

Your Affectionate Friend and
Faithfull humble Servt.
F. Nicholson

To the Honoble
Arthur Middleton Esqr

P.S. I desire that you would please to give the
humblest of my Service to the Gent. of his Majts
honoble Councel as likewise to the Honoble the Speaker
and the Members of the Honoble Comons house of
Assembly in doing of which you will very much
Oblige F. N:

I herewith send you the Copy of Mr Sheltons
Cavat &c. by which you may see what is designed
concerning the Officers and Land. therefore I think
some full answer should be made by the Assembly to
that Cavat. Herein is enclosed the Duplicate of a
List of Packets & Letters sent by the Honoble Capt Edwd
Massey. As also a Copy of the Lords Proprietors Petition
to

to his Maj:ty with the Lords of the Councels Order thereon and Mr Sheltons last Memorial which is the last paper that Shelton has put in & therefore I most heartily recomend to you that just and full answers to these Peticons and Memorials might be sent by the Assembly as soon as Possible in Order to the finishing that great Affair concd. his Maj:ts Province of So Carolina. And all your Complyances herewith will be most acceptable to

F: N:

Copy

12. Right Honoble London 9th October 1726
At Mr John Sharpes
Chambers Lincolns Inn.

I herewith send you a Duplicate of my Letter of the 22d of August last, at present have not the Letter (A.) but I shall God willing send it you by the next Opportunity, but herewith is Letter (B.) and (C.) as for (D.) I have not it here.

I herewith send you a Duplicate of his first Account for his Maj:ts Province of So Carolina at the bottom of which is his Receipt for the Money which I paid him and Number (3.) is his second Account not

not yet paid, and Letter (F.) is my own Accot which is almost as much as the Countrys, he keeps mine and the Countrys Separate which are paid so ac-cordingly.

I hope the Assembly would take Effectual Care to remitt money for the repaing me & satisfying Mr Sharpes other Bill as also for what future Charges may hapen on this Accot which I think they may very easily do having had so great a Number of Negros Imported.

With this you also have Duplicates of Letter to you of the 22d of August of Captain Massey &c, with the Duplicate of the Honoble Mr Secretary Pelhams letter to him, as also a Duplicate of mine to Sr Charles Hardy.

I mett Mr Nehemiah Partridge this afternoon at the Coffee House, who designs (God willing to go tomorrow Morning on board Capt. Leverstons Ship and herewith is a Copy of his Receipt of a Packet for you and likewise a Receipt for Two Guineas and a double Pistoll, as likewise his Receipt he is to sign for the Packets and Letters for your selfe &c.

I intend (God willing) to write to you by Capt Meffant Commandr of Mr Wraggs Ship who sails the latter end of this Week I must repeat to you

you for having all the Affairs laid before your
Assembly as soon as possible, and that their answer
be returned with all Expedition in Order to be laid
before his Majesty and the Rt. Honoble the Lords of the
Comittee and his Majts. Privy Councel, and I hope in
God that all things will go for his Majesties Interest
of the Province of So. Carolina for the Accomplishing
of which nothing shall be wanting that lyes in
the power of him who is

Your most Affectionate friend and
To the Honoble Faithfull Humble Servt.
Arthur Middleton Esqr. Fr. Nicholson.

P.S. I herewith send you two Letters the one for
Mr. Allen and the other for Mr. Edward Whitaker,
That for Mr. Allen is concerning the Company and that
to Mr. Whitaker to be assisting to Cap: Massey if he
should have occasion for a Lawyer. I hope Mr. Herold
will give you an account of the money received of
the Honoble Rinswill Eyre Esqr. for the Accot. of your
Sallary to Xmas last, when he received the money
I had not received my own nor have I as yet
received it all I hope when the Year is up at Xmas
I may get half a Year for I am forced to Sollicit
very much about it, and it shall be so Continued

to

to be done by

F: N:

Enclosed is Letter (A.)
which I have now got.

Copy.

13. Rt Honoble London 11th October 1726.

I herewith send you the state of the Case between the Inhabitants of South Carolina and the Lords Proprietors of that Province. Your agent the Honoble Francis Yonge Esqr had one to send you which I hope in God you will receive as likewise this because I suppose it may be of great Use and Service to the Assembly in Order to the Stating their Affairs and Answering what has been Alledged against them by Shelton &c. And the sooner We have from you a just and full accot and Answer of those Affairs, I think will be the better for promoting those two Inseperables his Majestys Interest and Service, and that of his Majestys Province of So Carolina are the hopes of him who is

To the Rt Honoble Your most Affectionate faithfull
Mr Presidt Middleton. friend and humble Servt
F: Nicholson.

Mem= I was not willing to put the Country to any further Charge in sending any more of the said Cases, for that please God the other two arive safe are the Hopes of
F: N: 114

114 Rt Honoble London 17th October 1726.

This is only to Inclose Capt Meffant and Capt Masters Receipts for Packetts from me directed for yourself, and I hope in God You will receive them all, and that the Honoble Capt Massey is arrived with you as likewise Mr Splatt and Capt. Thompson, which to hear of all Your healths and Prosperities in all respects will be very acceptable to him who is Your most Affectionate and Faithfull

To the Honoble Humble Servt

Arthur Middleton Esqr Fr: Nicholson.

P.S. I desire that You would be pleased to give the humblest of my Service to the Honoble Mr Izard and the rest of his Majesties Honoble Councel, To the Honoble Coll. Broughton Speaker of the Honoble Comons house of Assembly, and to the Members thereof in doing of which You will Continue to oblige

F: N:

I cannot omitt by all oppertunitys most Cordially and Earnestly to recomend to You for Your Assemblys Transmitting a just and full Accot and Answers to what I have and is now sent You by

F: N:

15. My very Good Friend London 5th October 1726

I herewith give you Copies of Severall Letters &c. Concerning his Majts. Independt. Company of Invaleeds Commanded by the Honoble Capt. Edward Massey, which I desire you would please Communicate to the Rt. Honoble Mr. Secretary Pelham, and in doing thereof you will continue to oblige him who is Your most Affectionate Friend and

Faithfull humble Servt.

Fr: Nicholson.

I also give you Copies of the said Letters in severall Papers for your own use.

Memorandum. In this sheet of paper are Copies of Six Letters (vizt.) One from the Rt. Honoble Mr Secretary Pelham to Capt. Edward Massey Capt. of an Independt. Company of Invaleeds in His Majts. Province of So. Carolina. From Fr: Nicholson Esqr. his Majesties Governor thereof to Mr. President Middleton his Majts. Commandr. in Chief there. To Edward Whitaker his Majesties Attorney General there. To Capt. Edward Massey. To Lieut Charles Huddy. To Mr. Andrew Allen Merchant in Charles Town in So. Carolina. These five Letters were sent by Capt. Edward Massey and Duplicates and Triplicates are now ready to be sent by

F: N:

16.

119

16. Honoble Sr London 8th October 1726.

I hope in God that this will find you Safely arrived in his Majts Province of South Carolina after your so long stay at Dartmouth, and that you have begun the Examination concerning the Affairs of his Majesties Independt Company of Invaleeds Under Your Command both Concerning the Officers and Men and likewise of his Majts Fort St George. I herewith send You a Copy of my Letter of the 5th Instant to Richard Arnold Esqr. with a Copy of what I then gave him. Yesterday I saw the Rt Honoble Mr Secretary Pelham at his Grace the Duke of Newcastle's Office, who told me he had received what I had given to Mr Arnold for him, he was well satisfied with them, and earnestly Recomends that a Speedy answer might as soon as possible be sent him Concerning these Affairs. Therefore I hope you will take effectuall Care that they may be sent him with Duplicates and Triplicates for fear of Miscarriages The Affairs of his Majesties Province of So Carolina stands much as when you left us, as for the publick News I must referr you to Mr Partridge thereof, so most heartily wishing You health and Prosperity in all respects I remain

Your most Affectionate Friend and Faithfull

Faithfull humble Servant

Fr: Nicholson

P.S. When I met the Rt Honoble Mr Secretary Pelham at his Grace the Duke of Newcastles Office, I had just then Given to the Honoble Temple Stanion Esqr his Grace's Secretary for His Majestys Plantations &c the Copies of those Letters Mr Secretary Pelham had, which I then acquainted him with, That Mr Stanion might when Conveniency Offered lay them before his Grace the Duke of Newcastle, so that the Copies of those Letters might lye both in the Secretary of States and Secretary at Wars Offices, to be made useof when thought proper. I desire that you would remember me kindly both to the Officers and men in doing of which you will oblige Fr: Nicholson

To the Honoble Capt

Edward Massey

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17. Laden on Board the Industry Capt John Woodin Commander. The Arms &c hereafter mentioned to be by him Transported to South Carolina, and delivered as Mr Boon and Beresford shall direct being for His Majts service there by Order of the Board dated the 30th of Augt last.

Snaph: Musketts - - - - - - - 1000 } Castells

Pistolls	300 pr.	in 40 Chests
Cartouch Boxes	1000	
Muskett Shott	32 C.	in 32 barrells
Pistoll Shott	7 C.	in 7 barrells
Corn Powder	200	barrells.
Muskett Flints	11000	in 3 Caskes.
Pistoll Flints	6000	
Trin Measures	24	in ½ powder Barrells
Sponges for Cohorn Mortars	24	
Blunder buss	12	in a Chest.
Harquebuss	12	in a Chest.
Iron Shott of 2 oz	600	Loose.
Cohorn shells fixed	2000	in 68 Boxes.
Brass Cohorn Mortars	10.	
Iron Do.	10.	
Meal Powder	1	Barrell.
Spare Priming Irons	30.	in a box with a Padlock
Spare Fuzees Fixed	50	
Port Fires	150	
Salting Boxes	2	
Match one Skane		
Powder horns.	2	

Delivered from the Office of Ordinance and Indented for by J. Boone and R. Beresford

8ber 10th 1715.

18.

18. Invoice of the following Goods Shipt on board the Industry John Woodin Commander bound for Charles-Town South Carolina and goes Consigned to the Govern^r. and Councel for the time being by Order and on the acco^t. of the R^t. Hon^oble the Lords Proprietors of Carolina for the Defence of the said Country (Viz^t.)

P. N°. 1/6 } In 6 Chests q^t.

150 Musketts with Belts Bayonetts and Swivells
2 large p^rs. of bullett Molds with 12 holes in each pair
3 large Ladles
500 Screw pins
1 Doz. of Triggors
14 Scouring Rods with double Worms
2 pound of Spunge.
25 Spare Runners.
6 pair of hand Vices.
1 Screw plate with 16 Taps
1 Rubber.
1 Three square Fyle.
1 half Round Fyle.
1 hand Fyle.
1 half Round bastard Fyle.
1 D^o. Smooth
1 Flatt bastard Fyle.

1 Do Smooth.
1 Drell bow
1 Sletting Fyle.
2 Hammers.
1 Knot of Drell String.
2 Chessells.
2 Punches.
1 Turn Vice.
2 Drells.
2 Drell Boxes
6. Hafts for the Fyles
6 pound of Emery
No 7. 150 Cartouch Boxes in a Case with Frogs & Belts.
No 8. 10,000 of the best French Flints in a Cask.
600 weight of bullets in 12 Casks.

London 5th October 1715.
Errors Excepted
For Hanson and Wragg
Joseph Wragg

19. May

19. May it please your Excellency.
Having finished the Collection of the Acts of As-
-sembly of this Province Pursuant to the desire of the late
Governr Councel, and Assembly, And having some
few days past shewed them to the Lower house of
Assembly who very well approved of the same, They
desired me to lay them before a Comittee appointed
to Inspect the Laws which I designed to do this day,
and when the said Comittee had perused the same
I purposed then to lay them before your Excellency and
Councel for your approbation, But being informed by
one of the Comittee that the said Comittee Consisted
of some Members of both Houses, and that they would
not take Cognizance of any thing without the Order
of Each House I now pray your Excellency and Councel
to referr the Consideration of the Laws of my Collection
to the Comittee That so I may lay the same before
them for their Consideration and to make their
Report to each house. I am

Your Excellencys most Obedt.
humble Servant
Nicholas Trott.

August 17th 1721. A List of Papers Delivered in To the Governor
and Councell August 18. 1721.
Augt 18. 1721.
in Councel read

august

125

August 29th 1721. Read again. { Copy of the Proposals made by Nicholas Trott to the Assembly,
Votes of the Assembly upon the same
Copy of the Subscriptions of the Govern.t & Councel for the Worke.

20 Proposals for making a New Edition of the Acts of Assembly by Nicholas Trott.

q.ff former agreement } That the said Nicholas Trott be paid for the forty five Books that he should have had allowed him by the former Agreement at 4£ ꝑ book. } £. s. d 180.00.00

That in Order to make the New Edition

1. That so much shall be paid for one or more Clerks to make two Transcripts as the said Nicholas Trott shall think reasonable.

2. That the said Nicholas Trott be allowed for his Trouble in making the Collections of the Laws and directing and Examining and perfecting the same the sume of 500 Pounds Carolina money which is but Equal to 100 pounds Sterling, the same to be paid as soon as the Work is finished.

3dly That the £500 to be paid the said Nicholas Trott

Augst 18th 1721 in Council read & comitted Augst 29 1721 Read again

Trott be an Encouragemt to him to undertake the said Work But that notwithstanding the property of the Copy shall be in the said Nicholas Trott And he to have power to appoint what Bookseller or Booksellers he thinks fitting in London to print the same And what number of them he shall think fitting.

4thly That the Publick be obliged to buy 500 of the books when Printed at the Market Price which it is thought by the said Nicholas Trott may come to Twenty shillings ℘ Book Sterling, but if it comes to more to allow at the Usuall price ℘ sheet, according to the bulk of the Book.

5thly That in order to defray the Charges of the said Books That upon the Copy being finished that five hundred pounds Sterling be returned to England into such hands as the said Nicholas Trott shall nominate in Order to pay for the said 500 books.

6thly That the said 500 Books being paid for by the Publick That in case any of these Books shall be brought into this Province for sale before the Publick hath disposed of their Books that the same shall be forfeited.

7thly

7thly That in order to prevent the said Nicholas Trott being again disapointed of having the Laws printed, that in case the Assembly shall not return the said £500 Sterling to pay for the printing the said 500 Books. That the said Nicholas Trott be allowed double for his trouble in making the said Collection (that is to say) One thousand Carolina Money.

21.

Dom. Com. 6 die Decembris 1717.

A Message from the Governor and Councel by Capt. John Croft to acquaint the House, that they desire this House to appoint a Comittee to joyn a Comittee of theirs in a Conference on the subject matter of their written Message relating to Printing the Laws of this Province.

Ordered That Ralph Izard Esqr Mr Thomas Saker and Capt. Arthur Hall be and they are hereby appointed a Committee for that purpose.

Ralph Izard Esqr reported from the Comittee appointed to meet a Comittee of the Governor and Councel in a Conference that they had conferred with them about Printing the Laws of this Province, the result whereof being reduced into

into Writing, he delivered it at the Clerks table.

At a Comittee appointed by both Houses to confer about most proper methods how to have the Laws of this Province fairly Transcribed and made fit for the Press and sent to England to be printed.

The Proposals of Mr Chief Justice Trott made to the House of Comons Read to the Comittee and were approved of with the Alteration of five hundred pound insted of four hundred pound which alteration was made by Mr Trott in consideration of the Difference of Money from what it was when he first made the Proposals and also the many Laws that have been and will be added to the Collection before the same be perfected.

Aug 10th 1721 in Council read & Comitted

The said Mr Trott having always Asserted that he really did believe that the sale of Books would reimburse the whole Charge, In Consequence of such opinion he further proposes that instead of five hundred pounds to be paid him down upon the finishing of the work that he will except of Seven hundred Pounds Carolina money to be paid to him out of the first money raised by the sale of the books.

Aug 29th 1721 read again

22. Dom. Com. 10 Die December 1717.

The House being Informed That the Honoble Nicholas Trott Esqr Chief Justice Attended, He was ordered to be admitted in, And according to the Directions of the House acquainted by Mr Speaker, that the House had agreed to pay him seven hundred pounds Carolina money for Compiling his New Collection of the Laws of this Province by him Proposed to the House to be Printed, and that the said Sum be paid him out of the money Arising from the sale of the said Books. And after he had desired of the House that he might have a Copy of the Minutes of the Houses Proceedings relating to the said agreement, And to have leave given him to bring in a Bill the next Session into the House thereby Impowering him to Print the said Laws, and that he be allowed to draw on the Publick Receiver for any Sum not Exceeding one hundred pounds to pay the Clerks he shall employ in making two Transcripts of the same, And likewise have the Use of the first Collection of the Laws of this Province Compiled by him for his assistance in the said Worke.

He then Withdrew.

Ordered

Ordered. That the Clerk of this House give to the Honoble Nicholas Trott Esqr. Chief Justice a Copy of the above agreement and also deliver him for his use during the time he is Compiling the Collection of the Laws now agreed upon with him to be printed, taking his receipt for the same.

Ordered. That the said Chief Justice hath leave given him to bring in a Bill into this House the Next Session thereby Impowering him to print the Collection of the Laws of this Province now agreed to with him by this House.

Ordered. That the said Chief Justice be Impowered by (an Order to be passed both Houses) to draw on the Publick receiver for the time being for any Sum not exceeding one hundred pounds to pay what Clerks he shall Employ in making two Transcripts of the Collection of the Laws of this Province so agreed on to be printed.

23.

South Carolina.

Whereas by an Order of the General Assembly of this Province a Collection hath been made of the Laws of this Province Containing all the Publick Acts of Assembly in Force in this Province Perpetual and Temporary And the said

said Collection of the Acts to be printed in one Volume in England at the Charges of the Publick. Wee whose names are here underwritten do hereby severally oblige ourselves our Severall Execut.rs and Adminis.rs unto Coll: William Rhett and to his lawfull Attorney Execut.rs Adminis.rs and Assignes That upon Publick notice given us by the said William Rhett his Execut.rs Adm.rs or Assignes by affixing the same in writing at the usual Places of Notice or by such other Reasonable ways as he shall think proper to give us Notice of the same Signifying to Us that he hath received from England the said Books of the Acts of Assembly Printed and bound. That We will each of Us within a months time after such Notice repair or send to the said William Rhett his Attorney Executors Administrators or Assign's at Charles Town and there pay him or them for so many books, as We shall subscribe for, and shall be delivered to Us accordingly at the Rate of Six pounds Currant money of this Province or Eight heavy Peeces of 8/8 Eight in Silver for each Book so subscribed for. He that shall subscribe for Six books to have a Seventh gratis. In Wittness whereof we have hereunto sett our hands the twelveth day of December in the Year of Our Lord one thousand Seven hundred and Eighteen

Aug.t 8th 1721 in both [illegible] [illegible] the Affairs read again

The

The names of the Subscribers	The Number of the Books subscribd for	£	s	d	The names of the Subscribers	The Number of the Books subscribd for	£	s	d
Wm. Bull	For one Book	6	0	0	Robt. Johnson	For three Books	18	0	0
Jos: Morton	For two Books	12	0	0	Alexd. Skene	For three Books	18	0	0
					Tho. Broughton	For three Books	18	0	0
					Char: Hart	For Six Books	36	0	0
					Arthur Middleton	For two Books	12	0	0
					Mr. Izard	For one Book	6	0	0

24. May it Please your Honor

Whereas for Several Months past there has been lying before this House a Remonstrance signed by every one of the Attorneys who practice in this Province and by them referred and Exhibited to Us against Nicholas Trott Esqr. who is Chief Justice within the same, which said Remonstrance Consists of above thirty Articles and as the said Attorneys have declared themselves to be ready prepared for to prove and make good the same against him the said Nicholas Trott whenever they are called upon for that purpose by Order of this House who have but a very short time now left to Examine into the said Articles (The two Years from the date of the Writs, by which this House is called, being near Expired) yet as we have thought

thought fit to take Under our serious Consideration (so far as our time will permitt) the divers Grievances which the Inhabitants of this Province labour under by reason of the difficulty in getting Appeals from the Erronious or Irregular Proceedings in the Courts of Law the whole Judiciall Power being vested in the said Nicholas Trott Esqr. in the Court of Kings Bench, Comon Pleas and Admiralty. And who has likewise a Vote in the Court of Chancery, and Councel, a Power never reposed in any one man within the British Dominions.

We the Comons House of Assembly of this Province do therefore hereby request of Your Honor. to Concurr with Us in an Address to the Right Honoble the Lords Proprietors to have these great Inconveniences Regulated and Redressed.

George Logan Speaker

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25. London 22 August 1726.

My Very good Friend

I most heartily thank you for your severall Letters and Quarterly Lists of Shipping &c And I am in hopes that you will continue so to do when suitable occasion Offers, and make use of them for Your Advantage. Looking on my Papers I found an Accot. of Yours of Rice, Pitch, Tar &c. And herewith send you

the

the said Accot & I desire you would make the said accot to the time that you can send it me which I suppose will be this quarter including to Michmas I desire you would return this with a Duplicate thereof And that you would send two or three of the New sort by two severall oppertunitys I herewith send you a Copy of Rice, Pitch, Tar &c which I think was took out from the Custom House and the Rt Honoble the Lords Comittee of his Majesties Councell Ordered the Commissrs of the Custom to send them such an accot which they did and I think agrees with this by which it does appear how the Trade of His Majesties Province of South Carolina has increased since it has been under his Majties Imediate Command which is a Proff against Sheltons Insinuation about the Trade &c. The Accot that you will send me upon this affair I desire that it may be sworne to before Mr President in Councill and attested by him as so done because this Accot I hope in God may be of great use and Service in order to have the Government continued still under his Majesty I would have you waite on the Rt Honoble Mr Presidt and the Honoble his Majesties Councell, Shew them this Letter

Letter and that I desire their assistance in this Affair for the Reasons aforesaid. I thank God all things go very well upon the accot. of business between his Majesty's Province of South Carolina + the Lords Proprietors thereof And I have no reason but to hope that when We shall receive the Answers of the Assembly &c. That the Affair will be ended as they desire for the accomplishment of which that as nothing has been wanting in my Power so it shall (God willing) continue the same. I desire you to believe that I am not unmindfull of you, but till please God the Affair of the Government is settled nothing can be further done for even the Affair of your Brother about the Secretary's Office I think cannot be done till then so most cordially wishing you + Your Family health + Prosperity in all respects I remain

Your Loving and Affectionate
Friend

F: Nicholson.

I herewith send You two Guineas to buy your fine boy something.

To Mr. Wm. Hammerton Naval Officer
of his Majtie. Province of South Carolina

26. London 22d August 1726.

Dear Mr Hammerton.

This is designed (God willing) by the Honble Capt Edward Massey, and desire that you two might keep a good Correspondence, and that you would inform him of the state of your Affair in General, but more particularly the differences of the parties for you know that the few male contents will continue to Insinuate themselves into his acquaintance, therefore pray be assistant to him both whilst with you and afterwards, and what you do to serve him I shall Esteem it as done to

your very Loving and Affectionate Friend

Fr. Nicholson

P.S.

I have given Capt Massey a Guinea to drink with Mr Andrew Allen &c. and I desire that you may be one of the Company and that Mr Allen may invite none but such honest Gentlemen as yourself is the hopes of F. N.

As for News both Publick and Private I must refer you to Capt Massey

27.

27

Rice, Pitch, Tarr, Deer Skins and Turpentine from Carolina in the Severall Years underwritten (Vizt)

The Severall Years				Rice			Pitch + Tarr	Deer Skins	Turpentine		
				Cwt	Qr	lbs	Lasts Barrells	Number	Cwt	Qr	lbs
From Christmas	1715	To Christmas	1716	17554	3	16	1943. 7.	4702.	1057	3	0
	1716		1717	17481	1	3	2389. 3.	21713.	1366	1	16
	1717		1718	19530	1	25	3130. 8	17037.	858	1	7
	1718		1719	26222	3	18	2946. 0	24355	1113	1	14.
	1719		1720	44994	2	20	2509. 8	35171.	905	3	18
	1720		1721	34893	1	12	1678. 3.	33939.	- - -	- - -	- - -
	1721		1722	72226	0	16	1883. 7	59827	47	2	0
	1722		1723	61005	0	22	2375. 7.	64315	431.	2	12
	1723		1724	59365	2	8	3241. 4	61124.	979.	2	13

Memorandum the above is a Copy of a Paper sent by the Commrs of his Majts Customs pursuant to an Order from the Rt Honoble the Lords of his Majestys most Honoble Privy Councel

Exports from So Carolina from these dates foll: vizt

Rice

	Rice.	Pitch.	Tarr.	
25th Mar. to 24 June 1725	4634.	17799	678.	
24 June to 29 Septr 1725	794.	8016.	894.	Wm Hammerton
29 Sept. to 25th Decemr 1725	1234.	10942.	578.	Naval Officer.
25 Decemr to 25 Mar 1726	14348.	16726.	2062.	
Totall	21010.	53483.	4212.	

Memorandum The above is a Copy of what was sent by Wm Hammerton Esqr to

Memord these accots ^does appear that the Trade is considerably increased since his Majts Province of So Carolina hath been Under his Majts Imediate Govern.

28.

South Carolina, Exportations of Pitch Tar and Rice from May 30th 1721. to Septemr 29th 1723.			
Barrells of	Pitch.	Tar.	Rice.
From May 30th 1721 to Sept. 29th 1721			
To Great Britain	2690	777	2712.
To the Plantations	677.	332.	593.
In all	3367.	1100.	3305

From

Barrells of	Pitch.	Tar.	Rice.
From Sept. 29th 1721 to Sept. 29th 1722.			
To Great Britain	10163.	10266.	20213.
To the Plantations	1050.	2022.	3346.
In all	11213.	12288.	23559
From Sept. 29th 1722 to Sept. 29th 1723.			
To Great Britain.	12060	15792.	16878.
To the Plantations.	1476	1642.	3273.
In all	13536.	17434.	20151
Totall since his Excellency's Governmt.	28166	30822.	47015.

Imported from New England May 30th 1721 Iron there made as pr Certificate.		Axes	Cart Boxes.	Barrs.
June 14th 1722.	Brign John, John Alding	120.		
July 14th 1722.	Ship Holt Phillip Isaac Holmes	38.		
Aug 29th 1722.	Ship five Sisters Richd Quick	1 Cask.		
Octob 5th 1722.	Brign Union Joshua Benjamin	12.		
Novemr 19th 1722.	Sloop Madera Ebenezer Simons.	162.	195.	11.
June 14th 1723.	Ship John, John Jones.	2 boxes		
June 20th 1723.	Sloop Betty John Stollard.	1 Cask		
July 19th 1723.	Sloop Betty Do	11	8.	
July 26. 1723.	Sloop Shoram Forsh	108		
				axes

	Axes	Cart Boxes	Bars
Axes	451.		
	2		
	2		
Cart Boxes		203.	
Bars of Iron			11

To the Plantations from May 30th 1721 to Sept. 29th 1723.

Barrells of	Pitch	Tarr	Rice
From 30th May to Sept. 29th 1721			
To Boston.	0302	275	177.
To New York.	11	14	147.
To Philadelphia.	352.	28	214.
To Virginia	------	5	37.
To Providence	12	10	18.
In all	677.	332.	593.
From Sept. 29th 1721 to Sept. 29th 1722			
To Boston.	500	1396.	889
To New York.	103.	101	288
To Philadelphia	93.	------	475.

To

Barrells of	Pitch	Tarr.	Rice.
To Virginia	18.	....	20.
To Piscataway	40	....	327
To Rhoad Island	39.	12.	58
To Jamaica.	177.	370.	366.
To Barbadoes.	66.	95.	463.
To Bermudas.	12	35.	420.
To Providence.	2	18.	40.
In all	1050	2022.	3346.
From Septr 29th 1722 to Septr 29 1723			
To Boston.	907	745.	1853.
To Rhoad Island.	100	......	14.
To New York.	193.	255	173
To Philadelphia.	137	30	308
To Barbadoes	72	130	308
To Jamaica.	34	364.	398
To Bermudas.	10	16.	15
To Providence.	14.	54.	59.
To St Christophers	....	25	20
To Antegoa	9	23.	62.
In all	1476.	1642.	3273.
Totall to the Plantations since his Excy's Government	8203.	3996.	7112.
A true Copy from the Office Books			

Test Wm Hammerton
Naval Officer

29. Honoble Sr London August 22d 1726.

I am very much obliged to you for your very kind Letters &c which I heartily thank you and I hope in God that you and all your Family are in a perfect state of Health in all respects which to find or here of will be very acceptable to me and for the promoting thereof I shall be glad of having an Opertunity of doing it And when please God the affairs are settled of his Majesty's Province of So Carolina I shall endeavour to get for you what you desire (I have and shall God willing) when I write to Mr President send him Papers &c which I suppose he will Communicate to the Assembly of which you are one I have also writt to Mr Attorney General Whitaker who I desire will shew you what I write to him concerning your affairs for I am very much prest in point of time to repeat the same to you, It's my opinion that the Good or Bad state of your Country will in a very great Measure depend upon what your Assembly shall do. for I hope in God they will continue to act as they have already done. This you will receive God willing by the Honoble Captain Edward Massey who is a Gentleman of very good Character in all respects, likewise has very good Interest, and I desire that you serve him when it lyes in your Power.

Im

In doing of which you will very much oblige him who is

Your Affectionate Friend
& Servant
Fr: Nicholson.

To the Honoble Thomas
Hepworth Esqr. Chief Justice
of His Maj: Province of South
Carolina.

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30. My Very Good Friend.

In the first place I most heartily thank you for your Severall kind & obliging Letters which I would have Answered before but I had severall reasons for not doing of it which I hope to have the good fortune of telling you either where you are or here, for your Mother I think told me that your comeing hither would be for your Advantage (at present all the Affairs are at a stand) And I suppose will be so till it please God We have an Answer from Your Councel & Assembly to the Lords Proprietors Peticon to his Majesty &c. And I hope in God you will do it as well as you have the other, and then I think the Government will be settled either in his Majesty by Act of Councel by a Judgement at Law, or by an Act of Parliament therefore you must provide

provide Materials upon these Accots And I think it will be absolutely necessary for your Assembly to send over one or two Persons fully Instructed and furnished with sufficient Materials for carrying on this great Work and I hope you will be one of those Gentlemen You cannot but be sensible what Shelton aims at and what Officers of severall Sorts and Sizes he intends to furnish your Country with both here and there. I have and shall (God willing) fully write to Mr President Middleton about these Affairs all which I do suppose he will lay before the Assembly I think one may say of your case that for your either being happy or miserable must be now or never, Therefore I hope in God that all the Country except the male Contents (wch I likewise hope are but very few) will Exert themselves to the utmost of their power, then I think they need not in the least doubt but that You will have Justice done You more in all respects.

I suppose as usual You will have lyes writt from hence concerning your Affairs in Order either to some or amuse others in Answer to which I think there needs no more then this Question (vizt why hath not the Lords got the Government from his Majesty when they have pretended so long for it,

or

or what Assurance have they that his Majesty will give them the Government &c, I fancy that the Great Sticklers with you for the Proprietors will find themselves mistaken in the affair either of having places or otherwise, you may Communicate what I write to you to whom you shall think proper either in General but more particularly to Our Kingly friends. As I have hitherto neither spared Cost nor pains for the promoting of those two Inseparables his Majesties Interest & Service as likewise that of his Majesties Province of South Carolina. It shall God willing be continued to be done by him who is

Your most affectionate Friend
and Faithfull Servt.
Fr. Nicholson.

To Mr. Edward Whitaker
Attorney General of his
Majesty's Province of So. Carolina.

31.

London 11th Octr. 1726.

Honoble Sr.

I hope in God this will find you in a vigorous state of health, and that you are either Married or will be so in a little time; as for your affairs with Mr. Hammerton I suppose it may be finished when the Affairs of the Province come before his Majesty

-jesty and the Lords of his Majestys most Honoble Privy Councel As for the Publick affairs I must referr you to my Letters &c to the Rt Honoble Mr President Middleton, And as for News &c. you will have it from Capt. Nehemiah Partridge the bearer hereof So most heartily wishing you health and Prosperity in all respects I remain

Your most affectionate Friend
and Faithfull humble Servt
Fr: Nicholson

P.S. I hope for the future you will take Effectuall care to send by all oppertunitys both the Journals for the Councel and assembly and the Laws &c with Duplicates thereof as also of the proceedings with the Indians in all kinds. In doing of these things you will serve the Province of So Carolina in General and in Particular

To Mr Secretary Hart Secry
of his Majesties Province of
So Carolina.

Fr: N:

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32. Honoble Sr London 11 October 1726.

When the Honoble Capt. Edward Massey went from hence he did it in such a hurry that I had not time

time to write to you concerning his Company and the Garrison, but I writt to the Rt. Honoble Mr. President to Capt. Masley & Lieut. Huddy and likewise to Our good Friend Mr. Andrew Allen concerning his Majesties Garrison and Company, and I hope in God that Capt. Masley will arrive safe with you, And that those Affairs will be fully Adjusted, And I herewith send you a Queen Anns Guinnea to Drink with the Capt. & the Officers as likewise with the Chief Inhabitants of your Town and Port which I hope in God thrives well, and that you have got the Pilott Boat finished in all respects, and able Pilots all which to hear of as likewise of your Health & Prosperity in all respects will be very acceptable to him who is

Your most Affectionate Friend
and humble Servt.
Fr. Nicholson.

To Coll. Woodward Coll. of the Militia in Port Royal.

P.S. This is designed (God willing) by Capt. Nehemiah Partridge who can tell you the Publick News in General and I have writt to the Rt. Honoble Mr. Presidt. as likewise to the Honoble Coll. Broughton Speaker of your Honoble House of Comons concerning the Affairs of his Majesties Province of So. Carolina for the Promoting the Prosperity whereof nothing shall be wanting (God willing) that lyes in the power of

F: N:

33. Sr London 11th October 1726

This is designed God willing by Captn Nehemiah Partridge who can give you an Accot of Our affairs in General, but as for what more Concerns his Ma-jesties Province of So Carolina I have fully writt to the Rt Honoble Mr President Middleton, and I have also writt fully to the Honoble Coll. Broughton Speaker of the Honoble the Comons House of Assembly all which I suppose will be laid before Your Honble House.

I dont find that you have sent any Journals of Your house which are very much wanted here for His Majesties Interest and Service and likewise that of his Majts Province of South Carolina and there-fore I hope you will not faile of sending them and Dup-licates thereof by all oppertunities & they shall God willing be made Use of what in me lyes for Pro-moting these two Inseperables his Majts Interest and Service and that of his Majts Province of South Carolina by him who is

To Major Blakeway
Clerk of the Comons
House of Assembly

Your very loving Friend
Fr. Nicholson.

34.

34. Sr London 11th October 1726.

I heartily thank you for your severall Letters and I have just wrote to the Honoble Mr Secretary Hart concerning his sending the Journals &c. To which Letter I referr you, and I am in hopes that for the future those things will be remitted hither by all oppertunities, because those two Inseperables His Majesties Interest and Service and that of His Majesties Province of South Carolina require it. As for the Generall News I must referr you to the Bearer Capt Nehemiah Partridge. So most heartily wishing you health and Prosperity in all respects

I remain

your very loving Friend

Fr: Nicholson.

To Mr Henry Hargrave

Deputy Clerk of his Majts

Honoble Councel

35.

To His Grace the Duke of Kingston

Lord Privy Seal

May it please your Grace,

That a Caveat may be Entered in the Privy Seal Office that no Grant may pass of any Office or Employment or any Lands in South Carolina untill notice be given to Richard Shelton Esqr in Bury Street St

James's

James's, Secretary to John Lord Carteret and others
Lords Proprietors of Carolina

R. Shelton

Let this Caveat be Enter'd

Hingston C: P: S:

Memorand. the above Caveat was upon the Account of John Hammerton Esqr his having his Majts Warrant to be Secretary of His Majts Province of So Carolina according to the agreement made with the Honoble Charles Hart Esqr

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London 20th November 1726.

36.

Rt Honoble,

I hope in God that Mr Splatt, Capt Mason and the Honoble Capt Edward Massey Arrived safe with you, and that they have delivered according to the Receipts given all the Packetts Letters &c unto you from me.

I herewith send you the Translation of the Copies of Two Letters &c which were given me by Coll: de Valogne which said Original Letters he has given me which I keep, by these Letters you will see the present fate of the Neufchatalers, Capt. Omer went to Helfasulee to take them in and I hear that he is sailed from thence directly for Carolina, if so I hope you will take Effect-
-ual

-ual Care that he no ways breaks the Acts of Trade and Navigation, Mr Wragg told me that he was informed that Satur Godwin and I think that one or two more French men Undertook this Affair with a View of great profitt, by it I think it will be much for his Majesties and Countrys Interest + Service if you could get a Copy of that Agreement. For I suppose Satur Godwin &c sent it over to their Correspondents and I think that Capt Omer knows a good deal of it too.

The Affairs of South Carolina Continues as when I writt you for there hath been no Councel since and I have given the Ministry an Account of what I have writt to you. And I am now Copying out all Letters &c sent to you, to be left in his Grace the Duke of Newcastles Office, and I intend God willing to have the same done in Order to give Mr Sharpe the Sollicitor, who hath drawn up something concern-ing your Affairs Partioularly about what you sent over; and I suppose your Agent Mr Yonge has sent you a Copy thereof I cannott omitt this oppertunity by a Vessell wherein Mr Wragg is concerned by writ-ing to you that I might know how your Affairs goes, and I hope in God you will be so just for pro-

-moting

-moting those two Inseperables, his Majesties Interest and service, and that of his Majesties Province of So. Carolina as to send over a just and full Accot. of all your Affairs, and that by the very first oppertunity. I look upon the Fate of your Country to depend upon it. For my Own part I shall (God willing) continue as formerly I have writt to you, And to assure you, that I continue to be with all Sincerity a well wisher for the wellfare and prosperity in all respects for his Majts. Province of So. Carolina in General & to Yourself His Majesties Honoble Councel, the Honoble the Speaker and the Members of the Honoble the Comons house of Assembly in particular; for the Promoting and accomplishing of which nothing shall be wanting that lyes in the power of him who is all of Yours

Most Affectionate Friend & Faith-
-full humble Servant
Fr: Nicholson.

P.S./ Last night I called at Mr. Sharpe's Chambers in Lincolns Inn to enquire about what he had done in relation to your Affairs, he told me that he had left one at the Councel Office to be there in case that the Rt. Honoble the Lords of the Comittee of Councell should do anything in the Affair He gave the Honoble

Mr.

Mr Yonge your Agent a Copy in Order to send to You which I suppose he hath done by this ship of Mr Wraggs. I spoke to him for a Duplicate thereof in Order God willing to send you by Mr Crawleys Ship with Duplicates of what I now send you. Fr. N.

P.S. to the Duplicate./ I hope in God you will receive by the Honoble Mr Yonge's and my Letter by Mr Wragg's ship as likewise this by Mr Crawleys, & I herewith send a Copy of a Peticon of Fr: Yonge Esqr to the Comittee which Mr Sharpe the Sollicr sent to./

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37. Sr & my most honord Coll:

I am here since the 15th of this Month to be a Wittness of what has passed in relation to Mr Purys project who going thro' Geneva heard there of the departure of Mr Vernet and of about one hundred persons who for the most part have been here about a Month waiting the oppertunity of going to Carolina but strange Catstrophe! Mr Vernett has disapered ever since Friday last for want of an hundred pounds Ster. and Mr Pury absconds since last night, to avoid the fury of the People, who having spent their money, wander up and down the Streets not knowing where to find a Dinner nor a bed to lye down upon at night

night, and can't say what will be the Issue of this which will make much noise in the World. So many People offered themselves on the sight of the Vessell prepared that I am persuaded if one had money above 600 Voluntiers might have been procured, but this Management of the Lords Proprietors hath been the Principal Cause of the Miscarrying of the Undertaking by the Alteration of their Pattent and refusing to fullfill the Agreement for the Transport-ation of 600 Persons from England to Carolina; I have only time to Inform you of this sad Event which quite overturns the design of our good friend Mounr. Pury and to desire you would present my humble respects to Dr. Bray, Messeurs Hales, Hodges, Newman and all our Friends. I have the Honor to be Sincerely

Sr

and my most honord. Coll.

Your most devoted humble servt.

Jean Watt

Neufchatel 31st. October 1726.

Franche a Paris

Mounsr. a Mounsr. le Coll.

de Valogne at Giles's Coffee-

house in Pell Mell

a Londres

155

38.

Neufchatel Novr 4th 1726.

S^r and my most hono^rd Coll:

Here am I again to see the Event of the Affair I gave you an Account of the 31st of last month and whereof the Copy is here above I must now tell you that through the wise and prudent measures taken by the Magistrates of this City the Tumult among the Carolinians was appeased by sending them out of the Territories of this Principality and giving to each of them seventy five Bats of this Country. There is about forty of them, who Chuse to go to Holland and thence into England. They not daring to return to their own homes, where they could not avoid the Reproaches of their Friends & acquaintance who had dissuaded them from that Enterprize. The Resolution of these People is Great, and they deserve to be Assisted & Encouraged

I have the Hono^r to be with very great Consideration

Yours.

I desire you would Impart this Letter to the General Nicholson Governour of South Carolina Assuring him of my most humble respects. the Subject of it deserves his whole Attention.

P.S. The Officers as you have heard having deserted the

the Crew of Swiss Carolinians (or South Carolina Adventurers) an Expression of the Patriarchs, a woman who has four Children from Six to Twelve years old, set herself at the head of 48 persons, Men Women & Children, who were conducted at the Charge of this City as far as the New Town, at which last place they had six Crowns given them, to carry them to Bienne the place of my Nativity, whether I had accompanied them. Were it not that an Associate of Mounsr. Pury is to come here tomorrow to speak with me, and it is that Gentlewoman who determined the Troop to go with her, by a certain Circumstance which I shall relate to you by word of mouth when I have the Honor to see you, the said Gentlewoman whose name is Valett, by means of five Militons (Pistols) which she gave a few days ago, stopt the fury of the People the first day of the Tumult after the desertion of Mr. Vernet.

Knowing that you are very Complaisant towards the Ladies, I take the Liberty of recomending her to you, and she will have the Honor to Address herself to you Sr. who are the refuge (or Asylum) of the distressed, she bears the character of the Woman or widow in the Gospell who put the Penny into the Poors Box. And I must take Notice to you that it was by a woman that

that Rice was Transplanted into Carolina, where the finest is now in the world to be found. Be so good as to desire Mr. Hales to Recomend her to somebody in Holland, with her Flock of Sheep. I reckon she will be there in 25 days being set out from hence yesterday Morning.

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39. London July 26: 1726.

I acknowledge to have received of Francis Nicholson Esqr. Governor of his Majesties Province of South Carolina one Packett directed (vizt) for his Majesties Special Service, For the Rt. Honoble Arthur Middleton Esqr. President and Commander in Chief thereof for the time being which said Packett I promise to deliver as soon as please God I arrive, in South Carolina, as Witness my hand the Day and Year above written

Memorand. this packet was signed by Fr. Nicholson. Rd. Splatt

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40. London August 3d. 1726.

I acknowledge to have received of Francis Nicholson Esqr. Governor of his Majesties Province of South Carolina one Packett directed (vizt) For his Majesties Special Service for the Rt. Honoble Arthur Middleton Esqr. President and

and Commander in Chief for the time being, which
said Packett I promise to deliver as soon as please
God I arrive in South Carolina, As Witness my
hand this Day and Year above written.

Memorand this Packett was — Wm Thompson
signed by Francis Nicholson.

London 22nd Aug. 1726.

41.

I acknowledge to have received of Francis Nicholson
Esqr three Packetts, directed for his Majesties Special
Service, for the Rt Honoble Arthur Middleton Esqr Presi-
dent and Commander in Chief of His Majestys Province
of South Carolina, One for his Majesties Special Service
directed for the Honoble Ralph Izard Esqr one of his
Majestys Honoble Councel of His Majts Province of South
Carolina. One for his Majesties Special Service directed
for the Honoble Thomas Broughton Esqr Speaker of the
Honoble Comons House of Assembly of the Province of
South Carolina. One for his Majesties Special Service
directed for Thomas Hipworth Esqr Chief Justice of his
Majesties Province of South Carolina. One for his Majesties
Special Service directed for the Honoble Edward Whitaker
Esqr his Majesties Attorney Generall of his Majesties
Province of South Carolina. And One for his Majesties Special
Service

Service directed to Wm Hammerton Esqr Naval Officer of his Majestys Province of South Carolina, I say received ℘ me

Edwd Massey

42. London October 8th 1726.

I acknowledge to have received of Francis Nicholson Esqr one small Packett directed for his Majts Special Service To the Rt Honoble Arthur Middleton Esqr Presidt and Commandr in Chief of His Majesties Province of So Carolina which I promise God willing so soon as I arrive in his Majts Province of So Carolina to deliver as above directed, as Witness my hand the Day and Year above written

Memorand. this Packett was signed by Fr: Nicholson Nehemiah Partridge

43. London October 11th 1726.

Received of Fr: Nicholson Esqr One Letter directed for his Majesties Special Service to the Honoble Charles Hart Esqr Secretary of his Majesties Province of South Carolina, One to the Honoble Coll. Woodward at Port Royal in his Majestys Province of So Carolina, One to the Honoble Major Wm Blakeway Clerk to the Honoble

Honoble Comons House of Assembly of his Majesties Pro-vince of So Carolina. One to Mr Henry Hargrave, one to the Honoble Thomas Hipworth Esqr Chief Justice of his Majestys Province of South Carolina, and one to the Honoble Edward Whitaker his Majestys Attorney General of the Province of So Carolina, all which I promise to deliver as soon as I arrive God willing in So Carolina As Witness my hand the day and year above written.

Nehemiah Partridge

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44 London 11 October 1726.

Received of Fr: Nicholson Esqr 4 Packets directed as foll: For his Majts Special Service To the Rt Honoble Arthur Middleton Esqr Presidt and Commandr in Chief of his Majts Province of South Carolina, as likewise two Letters and one Packet to the Honoble Ralph Izard Esqr one of his Majts Honoble Council of his Majesties Province of South Carolina Another to the Honoble Thomas Broughton Esqr Speaker of the Honoble Comons house of Assembly of his Majesties Province of South Carolina, and the small Packet to William Hammerton Esqr Naval Officer of his Majts Province of So Carolina which sd 4 Packetts two

Letters

Letters and small Packet I promise to deliver when please God I arive in His Majesties Province of Sº Carolina as Witness my hand the Day and Year above written.

Nehemiah Partridge.

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45. London 19th October 1726.

I acknowledge to have received of Fr: Nicholson Esqr. two Large Packets & one small one with one Letter Directed for his Majts Special Service To the Rt. Honoble Arthur Middleton Esqr. Presidt. and Commandr in Chief of his Majts Province of Sº Carolina, which three Packets and Letter I promise to Deliver God Willing as soon as I arrive in his Majts Province of South Carolina, as Witness my hand the day and Year above written, the dangers of the Sea excepted ℘ me

Jns. Messant

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46. London 19th October 1726.

I acknowledge to have received of Francis Nicholson Esqr. 4 Letters directed for his Majts Special Service, one to the Rt. Honoble Arthur Middleton Esqr. Presidt. and Comander in Chief of his Majts Province of Sº Carolina, one to Charles Hart Esqr. Secretary of his Majts Province of Sº Carolina, one to the Honoble Coll: Woodward and one

and one to Major William Blakeway Clerk to the Honoble Comons house of Assembly which said 4 letters I promise to deliver as soon as please God I arrive in his Majts Province of So Carolina, as Witness my hand the day & year above written the Danger of the Seas excepted ℘ me.

Jno Messant.

London 19th October 1726

47.

I acknowledge to have received of Fr. Nicholson Esqr Six Packets & one Letter directed for his Majts Special Services, for the Rt Honble Arthur Middleton Esqr Presidt & Comdr in Chief of his Majts Province of So Carolina & one small Packett directed for his Majts Special Service, for Wm Hammerton Esqr Naval Officer of his Majts Province of South Carolina which said Seven Packets and one Letter I promise to deliver as soon as God willing I arrive in South Carolina. As witness my hand the Day and Year above written the Danger of the Sea Excepted ℘ me

Benjn Masters

48.

London 19th October 1726

I acknowledge to have received of Fr. Nicholson Esqr seven letters for his Majts Special Service (vizt) One to the Honoble

Honoble Ralph Izard Esqr One to the Honoble Thomas Broughton Esqr one to the Honoble Charles Hart Esqr one to the Honoble Coll: Woodward, one to Major Wm Blakeway one to the Honoble Edward Whitaker Esqr and One to the Honoble Thomas Hipworth Esqr which said Seven Letters for his Majts Special Service I promise to deliver as soon God willing as I arrive in South Carolina as Witness my hand the Day and year above written. The danger of the Sea Excepted
℘ me Benjn Masters.

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49. London 22nd November 1726

Received of Francis Nicholson Esqr One small Packet Directed for His Majestys Special Service Fr: Nicholson For the Rt Honoble Arthur Middleton Esqr Presidt and Comandr in Chief of his Majts Province of So Carolina which said Packet I promise to deliver God willing so soon as I arrive in his Majts Province of So Carolina As Witness my hand the Day above written Danger of the Sea Excepted ℘ J. Parkins

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50 To the Kings most Excellent Majesty
The humble Petition of Francis Yonge Esqr
Agent for the Province of So Carolina
Shewethe

Sheweth

That about Six months since the Rt Honoble the Lords Proprietors of Carolina did present to your Ma-jesty a Petition humbly Praying Your Majesty would be graciously pleased to approve of Coll Horsey to be Governour of that Province under their Commission wch obliged Your Peticonr on behalf of the People of the said Province humbly to Petition your Majesty to Continue them Under Your own Royal Governmt and Protection both which Petitions Your Majesty was pleased to referr to the Comittee of Your Majts most Honoble Privy Councel for their Lordps to Report to Your Majesty what is proper to be done thereon.

That Mr Shelton as Secretary to the said Lords Proprietors and on their behalf soon afterwards preferred a Representation to the Rt Honoble the Lords of the Comittee in Support of the said Lords Proprietors Petition.

That your Petitionr did forthwith send Copies thereof to his Principals the Councel and Assembly of the said Province on which they did Transmitt to him a Petition to your Majesty and also an answer to Mr Sheltons said Representation with Orders to lay the same before Your Majesty both which are here-

-unto

unto Annexed.

That in July last the Lords Proprietors preferred a Second Peticon to Your Majesty (which Your Majty likewise referred to the Comittee of Council) relating to the Adding some new Articles to the Instructions given His Majesty's Provisional Governor, Your Peticonr applyed to the Lords of the Committee of Council for a Copy thereof in order to send to his said Principals for their Answer thereto a Copy whereof was accordingly Ordered Your Peticonr on the 11th Day of July last and the same was sent over by three different Conveyances to the said Province both by General Nicholson their Governor under Your Majesty and by yor said Petitior. And your Petior is Assured he shall likewise receive their Answer to the Second Petition by the very first opportunity.

Therefore and as the Continuance of the Government of that Province under Your Majesty is of the greatest Consequence to the Well being thereof.

Your Peticor humbly prays Your Majesty that this Petition together with the Petition Answers & Papers thereto Annexed so Transmitted by the Government of Carolina may be likewise referred to the Comittee of Your Majtys most Honble Privy Council to lay before

Your

Your Lordsps untill the Answer of the said Province shall arrive to the said Lords Proprietors second Memorial, And that then in Case the said Lords Proprietors should Continue to Insist on their said Petitions that the said Comittee may take the whole matter into Consideration, And that your Petitioner may be heard thereupon by his Councel on behalf of your Majestys Subjects of South Carolina.

And he shall ever pray &c.

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51. At the Court at Kensington
29: day of November 1726.
Present.

The Kings most Excellent Majesty in Council.

Upon reading this day at the Board the humble Peticon of Francis Yonge Esqr Agent for the Province of South Carolina together with a Petition of the Council & Assembly of the said Province praying they may be continued under his Matys Royal Protection and Government and also an Answer of the said Council and Assembly to a Memorial of Mr Shelton Secretary to the Lords Proprietors of that Province. It is Ordered by his Majesty in Council that the said two Petitions and Answer (Copys whereof are hereunto Annexed) Be and they are hereby referred

referred to the Rt. Honoble the Lords of the Comittee of Council (to whom several Papers relating to this Affair stands referred) to consider the whole matter and Report their Opinion thereupon, to his Majesty at this Board.

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52. London November 30th 1726.

My very Good Friend, 9 a Clock in the Morning.

I desire that you would be pleased to let the bearer hereof have a Copy of what was done Yesterday in Council concerning our Carolina affairs in doing of which you will continue to oblige him who is

To Mr. Sharpe at the Council office

Your most affectionate Friend and Faithfull humble Servant
Fr: Nicholson.

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53. Copy of the Answer to Genl. Nicholsons Letter.

Wednesday November 30th Eleven a Clock. 1726.

Good Sr.

Yesterday Mr. Yonges Petition together with the Petition of the Council and Assembly and their Answer returned from Carolina were all read to his Majesty in Council and Are Ordered to be referred to the Comittee of Council who have the other Carolina Papers before them. We have no news yet of a Comittee, I am

am with the greatest Esteem

Sr

To Genl. Nicholson. Your most Obedt. Servt.

Wm. Sharpe.

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54. Wednesday November 30th 1726.

Afternoon 5 a clock.

Mr. Presidt. Middleton

Rt. Honoble

I herewith send you the Copy of my Letter to Mr. Sharpe the Clerk of the Council with his Answer, by which you will see what is done in relation to Mr. Youngs Petition, Copys and Duplicates of which I have already sent you by Mr. Crawleys ship, and by Mr. Wraggs ship, and I hope in God that all things will succeed to the promoting of those two Inseparables his Majts. Interest and Service and that of His Majts. Province of South Carolina for the accomplishment whereof nothing God willing shall be wanting that lyes in the power of him who is

Your most Affectionate Friend
and Faithfull humble Servt.
Fr. Nicholson.

P.S. I desire my humble service to the Gentlemen of his Majs. Honoble Council as also to the Honoble the Speaker and

and the Members of the Comons House of Assembly in doing of which you will oblige.

F: N:

P.S. to the Duplicate.

I hope in God you will receive by the Honoble Mr. Yonge and my Letter from Mr. Wraggs ship as likewise this by Mr. Crawleys and I herewith send you a Copy of the Petition of Francis Yonge Esqr. which Mr. Sharpe the Sollicitor sent to F: N:

55.

London November 22d. 1726.

Received of Francis Nicholson Esqr. one small Packet directed for His Majestys Special Service. Fr. Nicholson For the Rt. Honoble Arthur Middleton Esqr. President and Comander in Chief of his Majesties Province of Carolina which said Packet I promise to deliver God willing so soon as I arrive in his Majesty's Province of So. Carolina as Witness my hand the Date above written

Giles Judge.

56.

Carolina Coffee House November 30th. 1726.

Evening 5 a clock.

I acknowledge to have received of Francis Nicholson Esqr. one Letter directed for His Majesty's Special Service To the Rt.

Rt Arthur Middleton Esqr Presidt and Comander in Chief of his Majts Province of South Carolina which I promise God willing to deliver as soon as I arrive in So Carolina As Witness my hand the day above written

Giles Fudge.

These are Copy's of Letters Papers &c To Arther Middleton Esqr and others concerning the Affairs of his Majesties Province of South Carolina from

Fr: Nicholson.

To the Honoble Temple Stanion Esqr F.R.S. &c.

B. P. R. O. Carolina Propᵗʸ B.T. Vol. 5

24 October 1726

To all to whom these presents shall come His Excellency John Lord Carteret The most Noble Henry Duke of Beaufort The Right Honᵇˡᵉ William Lord Craven The Honᵇˡᵉ James Berke and Henry Berke his brother Sʳ John Colleton and Sir John Tyrrell Baronet being seven out of the eight true & absolute Lords Proprietors of Carolina send Greeting Whereas Thomas Taylor now of Dublin in the Kingdom of Ireland Gent having satisfied us of his Intentions and Designs to transport himself and to carry over with him into our Province of South Carolina in America severall Planters Handicrafts Artificers and other persons of his own proper costs and charges And we the Proprietors being desirous to give all due encouragement to such persons who shall endeavour to promote the interest and good of our Province aforesaid Now these presents Witness that we the said Lords Proprietors In consideration of the premises have given and granted and by these presents do give and grant unto the said Thomas Taylor his heirs and assigns one thousand acres of land together with all the Wood Timber and other perquisits and Advantages whatsoever Excepting all Royal Mines of Gold and Silver which shall be found within the premises aforesaid hereby given and granted unto the said Thomas Taylor his Heirs and Assigns unto the only use of the said Thoˢ Taylor his Heirs and assigns for ever Yielding and Paying to us the said Lords Proprietors our Heirs and assigns for ever the sum of

Twelve

Twelve pence per every hundred acres yearly at the Royal Exchange of London at the Feast of St Michael the Archangel for ever Provided nevertheless that in case these presents be not Inrolled within the space of two years after the date hereof in the Office of the proper Register or Secretary of our province aforesaid than then this present Grant shall be void and of no effect and we the said Lords proprietors do hereby Authorise and command our Surveyor General of our province aforesaid imme-diately within twenty days after Notice of this our Grant to admeasure and set out to the said Thomas Taylor and his heirs the said one thousand acres of land according to the Rules customs and usages of our province aforesaid Given under our hands and the seal of the province this twenty fourth day of October in the Thirteenth Year of the reign of our Sovereign Lord King George by the Grace of God of Great Britain France and Ireland King Defender of the Faith &c. Anno Dom 1726

Loco Sigilli

Carteret Beaufort Craven Jas Berke
Hen. Berke. J Colleton

B.P.R.O. A + W.I. Vol. 621:

(29th Nov. 1726.)

To the Kings most Excellent Majesty.

The humble Petition of Fr: Yonge Esqr Agent for the Province of South Carolina.

Sheweth.

That about Six months since the Rt Honoble the Lords Proprietors of So Carolina did present to Your Majesty a Petition humbly praying Your Majesty would be graciously pleased to approve of Coll. Horsey to be Governor of that Province Under their Commission which obliged your Peticor on behalf of the People of the said Province humbly to Peticon Your Majesty to Continue them under your own Royal Government and Protection both which Peticons Your Majesty was pleased to referr to the Comittee of Your Majesty's most Honoble Privy Council for their Lordships to Report to Your Majesty what is proper to be done thereon.

That Mr Shelton as Secretary to the said Lords Proprietors and on their behalf soon afterwards prepared a Representation to the Rt Honoble the Lords of Comittee in support of the said Lords Proprietors Petition.

That your Peticor did forthwith send Copies thereof to his Principals the Council and Assembly of the said Province

Province on which they have Transmitted to him a Petition to your Majesty, and also an Answ^r. to Mr. Sheltons said Representation with Orders to lay the same before your Majesty both which are hereunto annexed.

That in July last the Lords Proprietors prefered a Second Petition to your Majesty (which your Majesty likewise referred to the said Comittee of Council) relating to the Adding some new Articles of Instructions given his Majestys Provisional Governo^r. Your Petico^r. applyed to the Lords of Comittee for a Copy thereof in Order to send to his said Principals for their answer thereto a Copy whereof was accordingly Ordered your Petico^r. on the 14 day of July last and the same was sent over by three different Conveyances to the said Province both by General Nicholson their Governo^r. under your Majesty and by your said Peticon^r. And your Petico^r. is Assured he shall likewise receive their Answer to such second Peticon by the very first oppertunity.

Therefore and as the Continuance of the Government of that Province under your Majesty is of the greatest Consequence to the well being thereof.

Your Petico^r. humbly prays your Majesty that this Peticon together with the Peticons Answers and Papers thereto Annexed so trasmitted by the Government

of

of Carolina may be likewise referred to the Comittee of your Majesties most Honoble Privy Council to lay before your Lordps untill the Answer of the said Province shall Arrive to the Lords Proprietors Second Memorial, And that then in Case the said Lords Proprietors should continue to Insist on their said Peticons, that the said Committee may take the whole matter into Consideration, and that your Petico.r may be heard thereupon by his Council on behalf of his Majtys Subjects of So Carolina.

And he shall ever Pray &c.

At the Court at Kensington

29th day of November 1726

Present

The Kings most Excellent Majesty in Council.

Upon reading this day at the Board the humble Petition of Francis Yonge Esqr Agent for the Province of So Carolina together with a Petition of the Council and Assembly of the said Province, Praying they may be Continued under his Majesty's Royal Protection and Government. And also an Answer of the said Council and Assembly to a Memorial of Mr Shelton Secretary to the Lords Proprietors of that Province. It is Ordered by his Majesty in Council that

that the said Two Petitions and Answers (Copies whereof are hereunto Annexed) Be and they are hereby referred to the Rt. Honoble the Lords of the Comittee of Council (to whom several Papers relating to this Affair stands referred) to Consider the whole matter and Report their opinion to his Majesty at this Board.

B.P.R.O. A & W.I. Vol. 18. p. 128.

Charles Town Novemb.r 30th 1726.

May it please your Grace.

His Excellency Francis Nicholson Esq.r our Gov-ernour, having been pleased to Signify to us, your Graces many & Singular Favours to this Province; having laid us under the greatest Obligations to your Grace, We should be highly wanting in Gratitude, if we did not take the first, Opportunity of paying our just acknowledgments, we pray your Graces leave herefore to return our most Sincere & Humble thanks for the same.

As we have always endeavoured to Demonstrate our Loyalty to his Majesty, so we shall Continue as much as in us lyes, to merritt his Royal Protection which he has been so Graciously pleased to give us, when we were Under very unhappy Circumstances the Memory of which will never be forgott.

And we humbly begg Your Graces further favour to us, and Intercession with his most Sacred Majesty, for his continuance of so great a blessing to his Faithfull Subjects of this his Collony, who although so remote from his Royal person feel the happy in-fluences of the Governm.t of so Good & Gracious a King, served

by

by so great & able a Minister as your Grace; and for whose health and prosperity this Province will be always bound to pray.

We are with the greatest deference
May it please your Grace.
Your Graces most Obedient
Humble Servants

Ar: Middleton P.
R.a. Izard.
Wm Bull.
a. Skene.
B. Schenckingh
Char. Hart
James Kinloch
In the Upper house of assembly

sign'd by Order of the Comons house of assembly.
Tho: Broughton
Speaker.

B.P.R.O. A & W.I. Vol. 18 p. 129.

Fulham Dec. 30th 1726

Good Sr

When you find the D. of Newcastle at leisure, I desire you to acquaint him with the contents of the Inclosed papers, which will of course come under the consideration of the Council as soon as the Proprietors of Carolina have transferr'd their right and title to his Majesty. I am not a Judge of ye claim wch Mr Justice Trot makes, to be continued in his station upon ye foot of ye former Grant; but I thought it my duty to apprise his Grace of it; and, not knowing whether he is now in London or at Clermont, I take ye liberty to lodge it in your hands, to be communicated to his Grace, when you attend him on any other occasion

I am

Sr your Faithfull Fd & Servt

Edmd London.

Carolina

180

(Inclosure)

Carolina

A List of Negro's Imported from May 30th 1721 To September 29th 1726.

	Negro's
From May 30th to September 29th 1721	104.
From Septemr 29th 1721 to September 29th 1722.	215.
From Septemr 29th 1722 to September 29th 1723.	527.
From Septemr 29th 1723 to September 29th 1724.	602.
From Septemr 29th 1724 to September 29th 1725.	433.
From Septemr 29th 1725 to September 29th 1726	1751
Total since His Excellencys Governmt	3632.

Port of Charles Town

Wm Hammerton

Navl Officer.

So Carolina

In Councell this 18th day of Jany 1726/7

Sworne before me Ar. Middleton.

B. P. R. O. A. + W. I. Vol. 621

(18th Decr 1726 ?)

To the Kings most Excellent Majesty

The humble Address of your Majesties Most Loyal Subjects the President and Council of your Majesties Province of South Carolina.

May it please your Majesty

It is with no small concern, We hear, that after the Endeavours your Majesty (in your Paternal care to all your Subjects) has been graciously pleased to take, to secure peace and happiness to all your Dominions, + Tranquillity to Europe, (a blessing in itself most desirable) That Contrary to the most Solemn treaties made, The Emperor and King of Spain having no Regard to such Sacred Obligations, Do endeavour to deprive your Majesties Subjects of the most Valuable branches of their trade and Comerce and to raise an Intestine Warr in your Kingdoms by placing a Popish Pretender on the Throne.

We, tho' so remote from your Royal Presence, yet blessed with the happy Influence of your Government, humbly crave leave to Shew our Abhorrence of the same, + to Assure your Majesty that We will to the utmost of Our power Exert ourselves against all your Enemies.

and

And if these Measures entred upon by the Emperor & the King of Spain should force your most Sacred Majesty (contrary to your tender regard for your people) into a Necessary Warr to defend these invalluable blessings, the Ballance of Europe & your Majesties just right to the Imperial throne of Great Britain & the Protestant Religion.

May your Majesty prove always victorious, & may the Devine Providence Crown your Majesties Arms, & those of your Allies with Success, in this so just a Cause & Conclude the Warr with a glorious and lasting peace,

Arthur Middleton P.
Ra: Izard
James Kinloch
Wm Bull.
Be: Schenckingh.
A. Skene.
Charles Hart
Benja De la Conseillere.

B. P. R. O. A & W. I. Vol. 621. ? 1726

The Memorial of Robert Johnson late Governour of South Carolina

Sheweth.

That by his Majestys Royall approbation, and the Lords Proprietors Commission, bearing date the 30th day of Aprill 1717. He was appointed Governour of South Carolina and continued so 'till the 21st day of December 1719 when a Warr breaking out with Spaine, the Province was threat-ened with an Invasion from them and the Indians their Allyes. And the Inhabitants of Carolina believing they could never be Secure in their Lives and Fortunes without his Majesty's Immediate assistance and Protection did unanimously renounce all Obedience to the Lords Proprietors Authoritys and humbly implored his most Sacred Majesty to take them into his immediate Government and Protection. Whereupon his Majesty was graciously pleased to send them reliefe and Commissioned General Francis Nicholson to be His Majesty's Provisional Governour.

That upon the aforesaid Revolt the Assembly of Parliament of the Province addrest the Memt declaring their satisfaction in his Administration and the desire they had of his continuing Governour as by the Copy of the said Address

hereunto

hereunto annexed may appeare.

That the Profitts of the Government whilst under the Lords Proprietors was very small, and his Expence in carrying his Family over very great so that by his being removed in so short a time his Circumstances were rendered much worse than when he received the Government.

That during his Continuance therein he concluded a Peace with severall Indian Nations, and the Coast being very much infested with Pyrates, he made an Expedition against them in Person and took two Pyrate vessells and their Crews, whom he brought to Justice and caused another to be surprized in Cape Fair River.

That his Father Sir Nathaniell Johnson was formerly Governour of Carolina, and did very seasonably fortifye Charles Town the Metropolis of the place, and being soon after attacked by the French and Spaniards in Concert in the last Warr they landing were repulsed with great loss of men and one of their Ships of Warr.

That his said Father having been likewise Generall of the Leward Islands there is due to the Mem^st as Executor to his said father an arrear of Salary as Generall and Captain of an Independant Company near three Thousand Pounds.

That

That his Mother and her Children returning to England from the Leward Islands were taken by the French and not only sustained very great losses but were kept Prisoners above a year and used with great Severity and hardshipp under which she dyed as his Brother did when Captain of the Lizard Man of Warr in the East Indies in the Service of His late Majesty King William of Glorious Memory.

That having lived many years in Carolina, he is very well acquainted with the Inhabitants, Nature of the Indians, and with the Scituation and Interests of the Province.

That Generall Francis Nicholson having obtained his Majesty's leave to come to England for six months only, has been here about a year and a Halfe.

He therefore humbly prays his most sacred Majesty in Consideration of the Premisses will be graciously pleased to appoint him to succeed the said Generall Nicholson as His Majesty's Provisional Governor of South Carolina.

B. P. R. O. A & W. I. Vol. 621.

[See Vol. 7, 232.]

To the Honourable Robert Johnson Esqr. Governor in Chief of His Majestys Colonie of South Carolina.

The Humble Address of the Representatives of the Inhabitants of the Said Province now Convened at Charles Town.

May it Please your Honour

Itt is with no small Concern that we find ourselves obliged to address your Honour in a Matter which nothing but the absolute Necessity of self Preservation could have att this Juncture prevailed on us to do. The reasons are allready by us made known to your honour and the World Therefore forbear to Rehearse them but proceed and take Leave to assure you that itt is the Greatest satisfaction Imaginable to us to find throughout the whole Country what universal affection difference and Respect, The Inhabitants bear to your Honours person, and with what Passionate desire they wish for a Continuance of your Gentle and good Administration.

And since we who are entrusted with and are the asserters of their Rights and Liberties are unanimously of opinion yt. no person is fitter to Govern

Govern so Loyal and Obedient a People to his most Gracious Majesty King George do most earnestly desire and Entreat your Honour to take upon you the Government of this Province in His Majesty's name till his Pleasure shall be known by which Means wee are convinced that this att present Unfortunate Colonie may flourish as well as those who feel the Influence of his Majestys Imediate Cares, and as the well being and Preservation of this Province depends greatly on your Honours Complying with our Requests so we flatter our selves, That you who have expressed so tender a Regard for itt on all occasions and Particularly in Hazarding your own Person in an Expedition against ye Pyrates for itts, an Example seldom found in Governours. So we hope Sr that you will exert your selfe att this Juncture for itts Support, and wee promise your honour on our parts, The most faithfull Assistance of Person's duely senceable of Your Honours great goodness and begg with the hopes and Expectation of His Majestys Protection and Countenance

And wee farther begg leave to assure your honour that we will in ye most dutyfull Manner address His Most Sacred Majesty King George, for the Continuance of your Government over us, under whom

wee

wee doubt not to be a happy People.
signed Arthur Middleton President. Thos Hipworth
John Williams. Paul Hamilton. George Logan George Chicken
Andrew Allen. Daniel Hugar. Hugh Heat. Alexr Skene.
Willm Dry. Joseph Morton. Richd Smith. Richd Harris.
Richd Berresford. Walter Izard. John Godfrey. Wilkins
John Raven. John Fenwick. Jonathan Drake. John Gendron.
Saml Jones. Wm Elliot. Thos Lynch.

The Governor's Answer.

Gentlemen

I am obliged to your good opinion of me, but I hold my Commission from the true and absolute Lords and Proprietors of this Province who Recomended me to his Majesty and I have his approbation, and Itts by that Commission I act and I know of no Power or Authority that can dispossess me of the same, but those Powers only that gave itt me in Sub-ordination to that Authority

I shall allways Act and to my uttermost Maintain their Lordship's just Powers and Perogatives without encroaching uppon the Peoples Rights and Priviledges

I do not expect or desire any favour from you

159

you, only that of Seriously taking into your Consider-
-ations, The Aproaching danger of a Foreign Enemy
and the Steps you are taking to Envolve yourselves
and the whole Countrey in Confusion.

B. P. R. O. A & W. I. Vol. 621.

(Rcd after Jan. 172¾.)

To the King's most Excellent Majesty.

The Petition of John Vat, of London, Gentleman As Trustee of certain Patents of the Right Honble the Lords Proprietors of Carolina) In behalf of Twenty Four Swiss Men, Women and Children, who lately went from Switzer-land to South Carolina.

Most Humbly Sheweth,

That in Pursuance of certain Patents, granted, by the Lords Proprietors of Carolina, To your Petitioner John Vat, in trust for Mr. Purry (whereby the said Lords are bound to Defray the Charge of Transporting Six Hundred Swiss from England to South Carolina) some Swiss Gentlemen had engaged above Two hundred Persons in or near Geneva.

That in September last, above One Hundred of them went from thence to Neufchatel in Switzerland, where they were to be joyned by several other Swiss Persons, in Order to go to South Carolina.

That several other Swiss Gentlemen, who had Promised to advance some Money for that Undertaking (Hearing that the said Lords Proprietors had refused to

to Comply with their Engagements, in relation to the charge of Transportation; And also, that the said Lords had granted another Patent to Mr. Stephen Godin and Mr. Jacob Satur, of London, Merchants in Trust for the said Purry, in Order to carry only Two hundred Persons, at his own Charge, from Switzerland to South Carolina) Declined likewise to Perform what they had Promised. So that the said Purry, and others concerned with him, for want of One Hundred Pounds Sterling ready money, were obliged to withdraw themselves from Neufchatel, and to leave the said Swiss to shift for themselves.

That, in November last, about Fifty of them, being encouraged by a Gentlewoman with four small Children, went from Neufchatel to Basil; But not being all able, for want of money and Credit, to proceed farther only Twenty of them went thence to Holland, where they were put on board a Ship, sent thither, with a few Swiss from London by the said Merchants, who had agreed with Mr. Purry, To Transport Two hundred of them to South Carolina. So that, on the 6th of December last, Twenty Four Swiss, Men, Women and Children were in Dover Road and under sail; and after Six Weeks sailing got safe to Charles Town in South Carolina,

and

And in Regard that the said Swiss can have no Lands allotted to them, by Virtue of the said Patents, in Order to Raise, by their own Industry, a Livelyhood for themselves and their Children, They for Want of Proper and Timely assistance, are like to meet with many Hardships and Difficulties.

Therefore your Petitioner most humbly prays, Your Majesty will be graciously pleased to take the Distressed Case of the said Twenty Four Swiss into your Royal Consideration; And, to Grant them such Relief, as Your Majesty, in your Great Wisdom, shall think most proper; And your Petitioner, as in Duty bound, shall ever pray &c

John Vat.

B.P.R.O. South Carolina. B.T. vol 3.

C 1 — S^o Carolina April 1727

To Francis Nicholson Esqr

Sir

After a long and tedious Sessions our Assembly at last broke up & I think I have provided for most things necessary for the province. several vessels have gone from hence for London since the rising of the Assembly without any letter from me for I stay'd for the getting ready the Journals and Acts & so to send them alltogether There is provision made in the Tax for yours, Mr Sharpe's and Mr Yonge's money I wish I knew into whose hands yours & Mr Sharpe's money should be paid, but I design to order Colonel Parris to procure Bills of Exchange for it

The general Assembly having appointed Mr Wragg their Agent I hope he will be acceptable to your Excellency I assure you it was not in my power to have it otherwise had it been my inclination

Your Excellency will herewith receive a petition from the Genl Assembly to His Majesty about our paper Money. you are so well acquainted with that affair that I need not say anything more about it but that it will be of great service to the province if it can be obtained

If there is anything farther necessary to be done by our Assembly to put a final end to the dispute with the Proprietors please to let me know it and I will immediately call them to get it done I know you will think it strange that the Assembly have appointed such Commissioners to correspond with the Agents but I could not help it without making a stir in the house I hope they will do their duty

The

The Assembly have desired me to appoint a new Chief Justice & I having put it to the Council the Major part of them as you will see by the Journal were for putting it off till Mr Yonge's arrival which they say will be very soon as he writes to several here & so that affair rests for some time

The assembly having had great reason to complain against Harvey the Marshall have desired me to displace him accordingly I did and put Mr Bampfeld in I doubt not but he will be very dutiful to & thankful to Your Excellency to continue him and accordingly has writ the enclosed Letter to you which I hope you will accept

I shall say no more of that fellow Whitaker only that he makes his braggs that he has received a copy of my Letter to your Excellency I can't persuade myself that he has received anything, or not anything more than a paragraph wherein I tell you that he has left your interest I again say he has and I daily see it by his Actions. but I will say no more of the fellow for fear it should give you disgust

I am like to be a sufferer by Secy Hatt on a Bill of Exchange for £60 ster drawn on Mr Eyres it seems he had no money in Mr Eyres hands. and so the Bill came back protested and I am forced to give my own Bills for it this is what I am like to get by the Officers of that Garrison if your Excellency dont assist me in it I intend to send to the Garrison to get Mr Hatt's bills again on Mr Eyres payable to myself & beg the favor of you to speak to Mr Eyres to keep the said Bills till as much money of the said Hatts shall come into his hands as will pay the Bills & this Mr Eyres may serve me or I shall loose the money

I wait with impatience for your coming back or to hear further from you

you for we have nothing talked of here but war with Spain upon the first news of which I will call the Assembly and put Port Royal in some posture of defence in the meantime I will have a watchful eye on that side & I am in great hopes we shall be easy with our Indians.

It has been out of my thoughts to desire you to let me know what Rice I shall send you for the saddle I had of you a little before your departure if you please Let me know I will send what is very good & by the first opportunity

I have now two years salary due to me which is yet unpaid I desire Your Excellency to give an order for the payment of it

The Council has wrote a Letter to your Excellency to desire you to get the Council filled up, indeed it is time for as here is but seven the burthen is very great on them & it is as much as I am able very often to make a Council Your Excellency very well knows all the Gentlemen here so that I will not presume to recommend any to you, I am

Your Excellencys
Most obed.t and very humble Servant
A.r Middleton

Rec.d June 28th } 1727
Read July 5th }

B.P.R.O. South Carolina B.T. vol 3

C1 (Inclosure) 20 April 1727

To Francis Nicholson Esq

Sir

Since my writing the other Letter that you will receive inclosed in the Box with this I have very little to acquaint you with, but that since the Tax Act past, and the Collectors in the several parishes are doing their duty in collecting the Tax according to Law the people are stirred up to say that it is difficult for them to pay the Tax, since Pitch and Tar is worth nothing That they want an Act to enable them to make Tender of their produce both in Tax and to their Creditors, that the present currency is to be soon sunk, which will throw them under great hardships with their Creditors That a Chief Justice is wanting to regulate the Courts & not to have anything carryed according to the different Interest and humours of the Attorneys pleading at the Bar as they say it now is and several other complaints and accordingly they are from all parts signing a Petition to me and the Council to have these things redressed When it comes to me I shall give you a full account. Your Excellency will receive in this Box a packet for Mr. Wragg in which is the Petition to the King about our Currency and other papers to Mr. Wragg & Mr. Eyres I got them put into this Box because I would have you to see them

I am Your Excellencys

Obedient humble servant

A. Middleton

Recd. June 28th } 1727
Read July 5th }

B. P. R. O. South Carolina B. T. Vol 3.

C. 7

21 April 1727

By the Honorable Arthur Middleton Esq.r President and Commander in Chief in and over his Majesties Province of South Carolina

A Proclamation

Whereas I have reced Information that diverse Seditious and turbulent persons have met and assembled themselves together in a riotous tumultuous Manner in several parts of this Province and have wickedly Seditiously and Maliciously Endeavoured to persuade and withdraw many of His Majesty's Liege subjects from their due Obedience to this His Majesties Government and to those whom His Majesty hath been graciously pleased to put in Authority over them and have Entered into a Conspiracy and association (as much as in them lay) to disturb the peace and tranquility of this province

I have therefore thought fit by and with the advice and Consent of His Majesties honorable Council to Issue this my proclamation hereby in His Majesty's name strictly charging and Commanding all Officers both Civil and Military, and all other his Majesties good and Loyall subjects to suppress and disperse all such Riotous tumultuous and unlawful assemblys and to apprehend the Offenders and strictly to put in force the Good and wholesome Laws of the Kingdom of Great Britain and of this province made on that behalf on pain of being prosecuted for their default herein with the utmost severity of the Law Given under my Hand and the Great Seal of this His Majesty's Province this One and Twentyeth day of April in the year of our Lord 1727 And in the Thirteenth year of his Maj.ty's Reign

God save the King

Arthur Middleton

By His Honors Command
Chas Hart Secy

(Great Seale)

Rec.d July 17 } 1727
Read Sept 25 }

B.P.R.O. South Carolina B.T. Vol 3.

C.8 rec.d 28 November 1727

To the Right Hon.ble The Lords Comm.rs for Trade and Plantations

In obedience to your Lordships commands signified to me by M.r Popple your secretary in his letter of the 17th Instant that I should your Lordships my thoughts in writing upon a Lre wrote by Capt. Edward Massey 26th April 1727 to the Secretary of War relating to a Fort built on the Alatamaha River in South Carolina

I am to inform your Lordships y.t in the year 1720 it being suspected that the French or Spaniards would take possession of the Alatamaha River in South Carolina His late Majesty of Glorious Memory was pleased to order a Company of Invalids of 100 men to be raised and put under my command with orders to take possession of that River as being within the bounds of the said Colony and to Erect a Fort to maintain His Majestys property there which Fort was built and named Fort King George a full account whereof was transmitted to your Lordships with the occurrences there from time to time as likewise to His Majesties principal Secretary of State and Secretary of War

My humble opinion is that the said Fort was properly placed to Answer His late Majestys intentions as aforesaid & that tis necessary to that end to support and maintain a Fort there which was also during my residence in South Carolina the opinion of His Majestys Council & Assembly how they came to alter their opinion now will appear to your Lordships by the Lres lately left by me with M.r Popple and further it is my humble opinion that altho the present Exigency of affairs may require as they Represent calling the s.d Company nearer home a detachment from the company should be sent and relieved at proper times to keep possession of

199

of the said Fort which may be easily effected in regard there are two Lieut.s and two Ensigns to ye said Company and ye Country maintain two Periauguas to pass between Port Royal and the said Fort which are a sort of vessel used by ye people of that Country for transporting Goods &c

The hardships the Company may have undergone are a natural consequence attending new and remote settlements but I cannot think they can be so great as repre-sented in the sd Captn Lre and had the Officers and Soldiers followed my advice and proposals from time to time the might by raising Enclosures and making Gardens &c have had Cattle to supply them with Fresh provisions I did also from time to time send them powder & Shot & fishing tackle there being in that Country great plenty of Deer Wild Fowl and Fish I generally maintained some Indians among them to in-struct them in hunting & Fishing whereby they might have saved their pay by victualling themselves

As to the Complaint of Injurious treatment &c from the Country in not supplying when desired by ye sd Capt bedding and other necessaries that might be occasioned by my supplying every thing during ye time I had ye honor of commanding that Company when I appropriated to myself only the pay of 10s ℔ diem as Capt and the profits of the Company to ye particular sd uses whereof with the Roles of the men were from time to time transmitted to the agent the sickness of the Men is much owing to their being invalids Old infirm inactive and Morose and so Lazy & Mutinous that could not be prevailed on to fetch them-selves wholesome water as the Natives did when they assisted in building the said Fort and thereby preserved themselves in good health

The Accomodation for officers and men may probably be bad now I suppose

occasioned

occasioned by ye Fire which happened there and Burnt the Fort and reduced it to the State now represented

The ammunition and other Warlike necessarys for ye said Fort I am humbly of opinion should be supplied from ye Board of Ordinance as was done when the Company was first transported thither which I suppose have been destroyed by ye Fire and y^t an Engineer should be sent over as was then when the said Fort was erected to put it in a proper condition and if its situation be not liked to Erect one in another place as the Engineer shall think fitt to answer His late Majestys intention of securing the property and Trade of ye said River from ye French or Spaniards. Which is most humbly submitted to your Lordships by one who is

Your Lordships most obliged and
obedient faithful humble Servt
Fr. Nicholson

B. P. R. O. A. & W. I. Vol. 18. p. 142.

South Carolina Charles Town Aprill
the 25th 1727.

Our Precinct Court Law hath not answered the Expectation of the Country People and the last sitting the Assembly past another Law for the better Establish-ing those Courts wherein there shall be no Process but by an Arrest for Debt and not by summons as formerly And the People have so farr deterr'd the Marshall from going into the Country that few or no Debts will be recovered, The People are very much in Debt are now entering into an Association to pay no Taxes, the next Step will be paying no Debts, Subvert the Governmt and become Levellers I never saw such a Spirit in the People as now and how it will end God knows One of the Heads is now in Prison but its expected he will be rescued and when a Mobb is together nobody knows what Mischief may be done, for my part I intend to pack up Books Bonds and Papers and send them on board the Man of Warr

Memorandum London July 8th 1727.
The above is a Paragraph of a Letter from a Considerable Merchant in Charles Town in South Carolina to his Corres-pondent a Considerable Merchant here.

B. P. R. O. A. & W. I. Vol. 18. p. 145.

(4 May 1727.)

Sr

I have received Your Excellencys Pacquet by the hands of Mr Crockat, the Letters contained in it (besides other papers) are of the sixth and Seventh of February last, the Contents of which I shall take great Care to observe. I have given the Books mapps &c to the Gentlemen of the Councill and others, as you directed for which they returne you thanks. By this ship I hope you will receive An Address from myself, and the Councill to his Majestye, but as the Assembly are up. It will be difficult to get one from them, the time of the Yeare, not allowing to call them. I designe as soone as possible to send for the Militia Officers and get them to doe the same, and also the Reverend the Clergy. Who are to be at my House the next Weeke, Where I shall deliver them your Excellency's Packett. And it is likely they will get theire severall Vestrys to doe the same; I assure you Sr nothing shall be wanting in me, to promote what is soe much our Duty to doe.

Your Excellency Complaines of an unreasonable Proposall of Mr Trott for Printing our Laws, I assure you

you S^r. it came from the Lower House of Assembly, but as I never did, or will give into it, Soe, It dropt at our Board, And I am well assured, that we Gentlemen of the Councill did underhand countenance him in the said Proposall. M^r. Boone has not gott his money And he may Petition as you say, I will let him know it.

Wee have an Acc^t. (by the way of the Maderas) that the Warr is begun in Spaine, I shall take the best care I can, to put his Majestys Province in best Posture of Defence that I am able, and shall in a small time, goe myself to Port Royall and carry with me Amunition and other stores for the Defence of that Place; but after all that I can doe, Your Excellency very well knows the weakness of that part of the Province, but I will doe my Duty in every thing in my Power.

I have Inclose to Your Excellency a Copy of a Paper, called a Representation Which has been Industriously handed about amongst the People in the Northern parts of this Governm^t. and by a few designing Men, you will see in the said Paper, What they complaine of, as the Tax, tho' not one Penny more is raised then what is due, The Act for keeping White servants, the burning the Bills &c but, as I have taken a great deale of Paines to appease and satisfye the People. And have been

been at the head of the severall Company's to the North-
ward and have put a Stop to all such Proceedings,
and every body is now easy and Quiet, I believe
it may be represented to your Excellency, that the
People's View in this Proceeding was to Oversett the
Governmt., but it is false. And I am very well assured
it is far from the Heart of any one of them, It is
true they have given theire Reasons in theire Paper,
but when I have putt it home to some of their Chiefes,
they confess to me, that they are uneasy in theire pri-
-vate Circumstances, for the great Number of Negroes,
that have been imported within these three or four
yeares, have run them prodigiously in debt, and
the sudden fall of the price of Pitch and Tarr, which
was what abundance of them cheifly Employed them-
-selves in, has rendered Numbers of them unable to pay
their Debts soone, and their Creditors comeing upon
them, has put them under desperate Circumstances,
and this Sr. is really the true state of their Case,
And I hope your Excellency will be so kind to
these poore people, as not to harbour the least notion
of their haveing any disrespect to his Majesty's Gov-
-ernment, they very much long to have the Affair
of the Government decided wt. the Proprietors and that
they

they may be Entirely under his most Sacred Majesty's
Government and Protection. As that Affair is still
in suspence, Soe it gives a handle, and Opportunity
to People here, of different Views and Interests to make
the Governm^t. uneasy, This S^r. you yo^rselfe know to
be true, when you were here. As it is my Duty to lay
these things before you Soe I beg your Excellency
(if there should be Occasion) to communicate the same
to his Grace the Duke of Newcastle his Majesty's Prin-
cipall Secretary of State. I should have wrote myself
to his Grace, but that I thought it would (if Occasion)
come better from your Excellency, you being his Majesty's
Governour, and upon the Spott. I am againe desired
by the Gentlemen of the Councill, to put your Excellency
in mind to get the Councill filled up, they being now
so few, that theire frequent attendance is very hard on
them; I must againe desire your Excellency to gett my
Salary paid, there being now two yeares due to me,
I am with the greatest respect S^r.

Charles Town 4th. May 1727. — your Excellency's most obedient
Humble Servant
Ar: Middleton

I have sent your Exc^y a Draught of the Address, not being able to get the Originall signed by all the Gentlemen of the Councill (some being out of Towne) but shall send the same p next Vessell or perhaps by this If the Wind hinders theire going over one day longer.

B. P. R. O. A + W. I. Vol. 18 p. 146.

(2y date)

To the Kings most Excellent Majesty.

The Humble Address of Your Majesties most Loyal Subjects the President and Council of your Majesties Province of South Carolina.

May it please Your Majesty.

It is with no small concern we heare that after the Endeavours your Majesty (in your Paternal care to all your Subjects) has been graciously pleased to take, to secure peace and happiness to all your Dominions & Tranquillity to Europe (a Blessing in itself most desirable) That contrary to the most Solemn treaties made The Emperor and King of Spain having no Regard to such sacred Obligations Do endeavour to deprive your Majesties Subjects of the most valuable branches of their Trade and Commerce and to raise an Intestine Warr in your Kingdoms by placing a Popish Pretender on the Throne.

We, tho' so remote from your Royal Presence yet blessed with the unhappy Influence of your Government humbly crave Leave to shew our Abhorrence of the same, & to assure your Majesty That we will to the utmost of our power Exert our selves against all your

your Enemies.

And if these Measures entred upon by the Emperor, & the King of Spain should force your most Sacred Majesty (contrary to your tender regard for your People) into a Necessary Warr to defend these invalluable Blessings, the Ballance of Europe & your Majesties just rights to the Imperial Throne of Great Brittain and the Protestant Religion.

May your Majesty prove allways Victorious and may the Divine Providence Crown your Majesties Arms, & those of your allies with Success, in this so just a Cause, & Conclude the Warr with a glorious and lasting Peace. —

B. P. R. O. South Carolina B. D. Vol 3

C. 5 6 May 1727

My Lords

It is with concern that I find myself obliged to acquaint you with an affaire which on its appearance threatened the peace of this his Majestys province.

Soon after the rising of the General Assembly several of the Inhabitants assembled themselves together in different parts of the Country in a Riotous & Tumultuous Manner and entered into a Conspiracy and Association to maintain each other in refusing the payment of the Tax assessd on them by act of Assembly for the support of his Majesty's Government and prepar'd a Representation addressed to myself and His Majesty's Council Containing a severe and Insolent Invectives against the Governm.t in general accompany'd with threats in case they should not obtain relief in the matters which were the foundation of their Clamor. When I was informed of these proceedings I immediately called His Majestys Council And with their Advice issued the Proclamation which I take leave herewith to lay before Your Lordships But finding that it did not fully answer the end propos'd I went in person and treated with several of the Malcontents. wherein I had so good success that they dispersed themselves and went home well satisfied.

During these transactions a Member of His Majesty's Council had been obliged to Commit to prison One of the Ringleaders. He having got together several persons and Endeavoring to induce them

them to enter into the aforesaid measures after I had issued my proclamation But on the submission of his Associates with their promise to give the Government no further disturbance to appease the minds of the People at their request I caused him to be released The Laws which those people chiefly complain of have been transmitted to your Lordships and bear the following Titles viz!

An Act for raising £27452. 3. 2½ for defraying the charges of the Government for one yeare commencing the 29th day of September 1726 and ending the 29th day of September 1727 and An Act for the better settling and strengthning this Province:-

I need not observe to your Lordships the necessity of the former Act without which it is impossible to support the Government or defend the Country and as to the latter your Lordships will easily discerne that it was calculated to people and strengthen the Country to oblige people who are possessed of Large and uncultivated Tracts of Land to Manure and Improve them.

These my Lords were the pretences whereby they promoted the popular Clamour but Your Lordships will perceive by their Representation (a copy whereof I thought it my duty to enclose you) that the Real cause of their uneasiness is the care that the Government has taken that the Act for sinking the paper Money should be effectually complyed with pursuant to His Majesty's Royal Commands and the large Debts they have contracted and their Circumstances being made worse by the ceasing of the Bounty on Pitch and Tarr have had no small share in their Murmurings. I

hope

hope I have effectually put a stop to any further proceedings of this Nature and shall always use my best endeavours to preserve the Tranquillity as well as to promote the Welfare of this His Majestys Province. And to assure Your Lordships that I am

Your Lordships
Most obedient humble Servant
Ar. Middleton

So. Carolina
Charles Town 6th May 1727

Recd. 19 July } 1727
Read 28 Sept }

B. P. R. O. South Carolina B. T. Vol 3
C. 6 (Inclosure) referred to in the President's Letter of 6th May 1727

The Representation of the Inhabitants of South Carolina To the Honble Arthur Middleton Esqr President and to the rest of the Council setting forth their most deplorable condition and humbly begging to be relieved from the same

May it please Your Honor

It is with the utmost Concern that we are under such Obligations to tell you plainly that we see nothing but the inevitable ruin of this His Majesty's Colony and consequently the miserable and deplorable circumstances of all its Inhabitants We need not tell your Honor that the danger threatning from Barbarous and Inhuman Enemies is great, but more if abetted and spirited by the Power of France and Spain one of which if not both are expected and if a War breaks out which is with too much reason feared all these with what other Foreign dangers may happen we shall patiently receive and use our utmost efforts to repel, but the monstrous & unparallelled inhumanity we complain of is which proceeds and derives from a Baser set of Men amongst us whose powers are great and whose views tend to the certain destruction of this Province to punish these such ill effected Men May it please your Honor We have referred to Your and our Representatives and whether they are too many or too great for you to handle is best known to yourselves, but this we are sure. we are in no respect redressed the Humble petitions and proofs by several persons have been made against them Yet those Men continue in honor and Posts and the Country entirely

entirely forsaken and left a sacrifice to their Malice and Extortion and how hard also is it that the Liberty of Englishmen is taken from us (in that it may please your Honor) of being tried by our Peers and Neighbors. for now we must be hauled to Town and tried it may be an hundred miles from home and yet have a Court just by us Thus our Courts are only a name and what is worse we are forced to pay a Judge a Thousand pounds for whom no punishment is to great tis he and his Brethren that has subverted the Laws injured every mans property and ruined many besides. no matter whether it be thro Ignorance or a base and mean submission to Lawyers and what is yet more strange he is continued. tho our Representatives have proved and voted his proceedings arbitrary and illegal and a set of men besides proved and voted in a Combination against us Yet remain in honor are our Lawmakers what can we expect but immed-iate Ruin thus may it please Your Honor we defend & maintain a Government which will not protect us but we are left a sacrifice to base Judges that say they will conscientiously persist to Act con-trary to our Laws against all opposition and that to the face of our Assembly Unparelled audaciousness to go unpunished Not less are we left a sacrifice to griping Lawyers and also to Extortioners who very often make us pay three or four times as much as their just due and this for want of a good tender Law of Country produce or a sufficient Quantity of Paper Bills for the trade of the Province. which last if not to be had we humbly crave your Honor to use your power to get such a Tender Law past that we may not be totally ruined our

our Debts centers mostly in Bills and the Taxes paid in Bills the Extor-tioners, Usurers and base designing men hoard up Bills the merchants must keep Bills ready to purchase produce when their ships come because our produce is perishable. Chargeable to them if kept. thus it is plain we have not half Bills enough for the Trade of the Country yet we must get Bills or our Estates must be sold for a quarter part of the Value and now may it please honor when we thought to have been eased of our Taxes they are Augmented our Crops near half Lost. the Bounty of Pitch and Tarr ceasing make that produce of little Value which was the Third part of our Trade and most valuable heretofore all which the Impo-ssibility of commanding Bills makes us unable to pay the Tax and the calling in Fifteen Thousand pounds just upon payment of Tax looks with an ill aspect and plainly shews us that some men design the Ruin of the Province Your Honors know how unjust the Tax is laid upon us the Aged sucklings Decrepit pay the same Tax as the best Negroes in the Province besides the unjustness of the Land Tax some paying 10^{s}/ for Land others 16^{d}/ for such as it is not worth the 20 part as much. which is plain to us that designing men have a mind to take away our just property. for which we spent our blood and purchased and paid many years Tax for if the Tax bee to heavy on land as most certainly it is. as well as unjust they know we must throw it up or sell it for nothing near the Value and as for us the Inhabitants of Santee and Winceau tho we have paid so many Taxes yet none of it is applied to our services in order to make a Port. tho

we

we have the best conveniency in the province for Trade, a Fresh water River no Storms and also the conveniency for Vessels which damages us for want thereof Ten Thousand pounds a Year by carrying our produce to Town all which makes it the harder for us to pay Tax These things your Honors and all Mankind knows at the very first View to be unjust from these hardships we desire you will be pleased to free us. Call our Representatives and offer these things to be redressed and we beg your utmost Endeavours to relieve us in Conjunction with them and if they wont your honours can call another when you please We doubt not your honors readiness will appear by a quick and speedy Relief to your Native Country and the distressed people you Govern and we solemnly declare had our burden been tolerable we would have been easy. but who will or rather can suffer Oppression when they had it in their power to free themselves its contrary to Nature and we must either leave the Province or redress our selves as God shall enable and direct us This is our last Refuge which you of the Legislature may if you please prevent and do us justice and make us happy under your Administration to which end you have our Prayers. that God would endow you with Wisdom to save this sinking Colony and use pity and Compassion to your Fellow Creatures with all speed for people daily desert, and are forced away and before long if there's no remedy you will have a Country without men to defend it

Recd July 19 } 1727
Read Sept. 28 }

B. P. R. O. A & W. I. Vol. 18 p. 148.

Paragraph of a Letter from Carolina dated 24th May 1727

I suppose you'l have an Account of the Tumult there is amongst the People here, especially in our Northern Parishes which is now grown to that Height, that it's to be wished it dont Turn to an Insurrection or at least a desertion of many of those People to Cape Fear (some already being gone much in Debt) where they think theire Creditrs can't reach them you will undoubtedly see the copy of their Representation or Petition as they call it which is sent home but the ground of all is, to be relieved in paying theire Debts by a Tender Law; under these circumstances it would be well we had a Kings Government established and a Governour sent over immediately to awe matters, with particular Instructions to have Cape Fear ascertaind in this Government, for if that is allowed to be a place of Refuge for Debtors, those of Ability as well as insolvent, will fly there but indeed all well wishers to this Frontier Province (especially at a time when there are so great apprehensions of Warr) ought to use their utmost endeavours to prevent anything being obtain'd that will encourage ye Settlement, which (from this Province) is now promoted chiefly by Mr Moor who

who has hopes or rather Assurances from some now at home to have it a Government independant from this or No Carolina: I only here hint to you the fatal Consequences that will attend this Goverament on this Account and to lett you know the apprehensions the Country in general is under of the desertion of many its Inhabitants, Wee hear there is to be another generall meeting of those Men in a few days on being dissapointed by the President and Councill last Week, the chief of which was to call the Assembly

Memorandum. The above was sent from a Consider-able Merchant in South Carolina to another here in London.

247

B.P.R.O. Carolina Prop.y B.I. vol.5 p. 181

31 May 1727

To the Kings most Excellent Majesty the Humble petition of the Lords Proprietors of Carolina

Sheweth. That your petitioners by the accounts they have received from Carolina being sensible of the great disorder the Inhabitants are in and the great difficulties they labour under. do most humbly intreat your Majesty that you will be graciously pleased to take the unhappy condition of that province into your Royal consideration in order to settle it upon a sure and lasting foundation.

And that your petitioners may give your Majesty the most Convincing proof of their sincere desire and intention to contribute as much as in them lyes toward so good an desirable an end. they are willing to surrender and they do most humbly pray your Majesty to accept and take into your immediate Royal Consideration the supreme Sovereignty of the sd province of Carolina. not doubting but your Majesty according to your usual Goodness and justice will cause Effectual Measures to be taken for preserving to your petitioners all their legal rights and properties

Beaufort. Craven. J. Berke

May the 31st 1727 J. Colleton. H Berke. J. Tyrrel

B. P. R. O. A & W. I. Vol. 18 p. 149

(June 17th 1727.)

My Lord,

I am honoured with your Grace's Commands of the 13th Inst and was preparing this answer to it when I have been Surprized with the Malincoly News of the Death of the King, but as his Present Majesty will no doubt order the designe to be proceeded upon therefore shall trouble you with a full detail that that yr Grace may take the best measures to forward it speedily, that so you may have an oppertunity of Providing for your friends & I must on this occation beg your Grace to present my most humble duty to his Majesty & to acquaint him that reason I don't do it in Person, is that since Wensday last I have been Lay'd up with a Severe fitt of the Gout in both feet unable to stir but when I can shall hasten to town to do it myself your Graces favour herein will greatly oblige me.

I shan't presume to advise you, but to obey your Commands so far as I am capable shall give the Narrative of the affair of Carolina upon which you'll best judge that is fittest to be done.

It having been the oppinion of the board of trade

trade as by their Genll Report, & confirmed by the
like oppinion of all the Kings Ministers & his Councell,
That in order to make the West Indies more Effectually
beneficiall to these Kingdoms they should be brought
to one uniform Manner of Goverment to be made
assistant to each other & which was not to be
done whilst they were under so many different
Rights of Proprietory, & forms of Governament amongst
them, therefore it was necessary by all Meanes rea-
sonable to encourage or Procure them to be sur-
rendred to the Crown, to be put upon the like
footting as all the other Goverments, and to reserve
only the Property of the soile to the Proprietors there-
of. With this view I embraced all occations to
sett forth the reasonablenes of the Proprietors sur-
rendering their Regall Authority to the Crown as
a matter more advantagious to them in their Private
conserns, more to ye Publick good in Genll and suit-
abler to the humours of the People as Subjects. Coll
Horsey being known to severall of the Proprietors
of Carolina, I discoursed him about it, who took a
great deale of Paines to meet & argue them into the
reasonablenes of their surrendring, which when
they were brought to think off, at their desire I drew
up

up severall heads as for them to request upon the surrendering, which Paper I had the Honour once to show your Grace and which they were designing to Annex it to their Petition; but by some additions after-wards made to itt, they haveing a view of more advantages to themselves, & restrictions upon the Crown & People, than I thought was fitt to be offered, & the time growing very short for much Debate they consented to alter the Petition by leaving out the annexings, & deliver it singly, which being done, was that Petition delivered by your Grace to the King before he went abroad, reserving the Particular Articles to be mentioned & debated upon, in the further progress of this affair. What papers I had scribled I left with Mr Popple our secretary, yt when the orders should be sent to the office he might be able to apprize the board if any dispute should arise concerning what I had done. Butt as Coll. Horsey hath what I drew out fairly wrote and also the Generall new Proposalls of the Proprietors I will by this Post write to him, & direct him to attend your Grace therewith to receive your Orders, as allso Mr Sheldon the Proprietors Agent & Secretary. and upon compareing & considering of the papers you will be

be able to give such orders for the instructions as his Majesty shall think proper, for I must inform your Grace that the designe of the Proprietors is that those heads or such like as the King shall approve off, should be put into the Governours Instructions to be by him recomended to the assembly of Carolina to be passed into laws, as the terms on which his Majesty will take and Continue them under his Immediate Government, & therein there is a Provision offered for the support of the Governmt. Therefore till a Governour is appointed I don't see how such, or any Instructions can be directed, but when that is, he will be able to assist the board of trade by informeing them of the Proprietors intentions on the Generall Proposalls in order for their amendments thereof.

The Proprietors, Those at least who come to me in the name of the others were of Opinion that the Laws for settleing of the Government should be first Passed and confirmed by the Crown because their Rights would then be secured to them by a Law in the Country, & upon which they were ready to execute a deed of surrender in form.

Of a Proprietory surrender there is an Instance upon our Books viz the East & West Jerseys to the late

Queen

Queen, But as it begins with the Copy of the deed ex-
-ecuted, I was at loss to find any footsteps of the
Proceedings before, how it came about. My Lord Car-
-terett in his oppinion thought the People should
pass a law to give the Proprietors an hereditary
duty on some produce of their Country in Consider-
-ation of their parting with the soverighnityship,
Butt I think there is an answer to this, that the
Proprietors will have the charge of all the Salirys,
the forts, & other expences in protecting the Country
which they were obliged to Provide out of their Quit
Rents, but further I think this thought might be
improved, viz, if the Proprietors could be prevailed
upon to yeild up their Quit Rents (as is done in Maryland
by the lord Baltimore) to ye Country, and to receive
from them an Equivalent for it by Herreditary dutys
to be imposed there, which would be of greater ad-
-vantage to ye Country be a meanes of its Spedier
Peopling & might so be contrived as not to be
worse but of greater advantage to the Proprietors,
but this is only a speculative hint I presume to
trouble you with Having thus ventured on your
Patience by this long narrative shall now endeavour
to answer your Grace's Commands with all defference

When

When your Grace thinks fitt you will order the Proprietors Petition made to the King & is now left with Mr. Popple in a Private manner to be delivered to you & that when you have seen the severall papers on which they were or seemed to be induced to the Making of the Petition you will be better able to inform his Majesty for his orders.

As to the Officers there is few or none yett legally Established in this Colliny to the great disservice of the Country & is in part a Cause of the Confusion, so that its all to be new appointed except one or two which as I understood the Lords Proprietors had given or order'd Pattents for, but by what I could guess it would be no difficult matter to have them surrender'd as Coll. Horsey hinted to me and to which Effect I acquainted you therewith. As to the numbers of the officers Necessary in the Government I am not able to give an accouat of now not haveing my Papers here with me. Butt when the Settlement of the Government comes to be directed, the board of trade must allso be directed to frame out, what officers are necessary and to enquire what there is & the nature of their Pretensions which will give your Grace a full light into them. — The Surrender must be by a

a deed executed in form as the Jerseys was drawn by Sr. Edwd. Northey then Attorney Generall;- it is not fitting for me to advise a direction in what manner this affair should be finished, but there being no order sent when I came out of town the Proprietors who were zealous for this yeilding of Government were under great apprehentions that there would be a great delay in it, and that their affairs would be hung up for a longer continuance in disorder to their great loss besides as it had taken some Pains + industry to bring over some of their body who were at first averse to it, + who have not an Entire good likeing of this Government + who might by the delay or other reasons fly off again, + clogg the designe, it will be therefore matter of great Joy to the well meaning Proprietors who are desirous of surrendering, to find your Grace retain their Business in your hand.—

Upon the whole I should think that the Governour should be named absolutely + that heads for a deed should be drawn up by the board of trade or whome else may be thought proper + the Proprietors or their Agents, + then sent to the Attorney Genll. to be drawn up in form of deed, of surrender

225

-render and then to be executed, if the termes were such as should meet with his Majesty's approbation or in such other manner as he should think fitting. all which I most humbly submitt to your Grace.

I have since Wednesday last been laid up with the Gout which as it is feirce hope it won't be long.

I must now beg Pardon for haveing so long entertained your Grace by a tedious letter but was willing to create but one trouble to you of informing you pursuant to your Commands in the Affair of Carolina, if in this I may answered in some measure — the End, or in any thing Else I am capable I shall Esteem myself very happy to be under yr favour & to receive any Commands — which shall allways be obeyed in the best manner I am capable off who am ambitious of approveing my selfe

Your Grace's

Most Obedient Servt

Westmorland.

Apsharp
June ye 17th 1727.

1727

B.P.R.O. Journals. B.T. Vol 37.

Whitehall Wednesday 5 July 1727

At a Meeting of His Majestys Comm.rs for Trade and Plantations

Present

Mr Chetwynd Mr Ashe
Mr Docminique Mr Plumer
Mr Pelham Sr John Hobart

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So: Carolina — Two Letters from Mr Middleton President of the Council and Commander in Chief in South Carolina to General Nicholson Governor of that Province were read and the Papers therein referred to were laid before the Board Viz! Fourteen Acts passed in 1726/7. Minutes of Council from the 14th October 1726 to the 23rd December following. Minutes of Council from the 3rd January 1726/7 to the 11th March following. Ordered that the said Acts be sent to Mr Fane for his Opinion thereupon in point of Law

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26 September 1727

Letter from the Duke of Newcastle referring to the Board the copy of a Letter from Capt Edward Massey to the Secretary at War in relation to the Hardships which the Independent Company at Fort King George lies under was read. And ordered that General Nicholson Governor of South Carolina be acquainted that the Board desires to speak with him thereupon to-morrow morning

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27 September 1727

General Nicholson Governor of South Carolina attending as he had been desired their Lordships took again into consideration the Letter from His Grace the Duke of Newcastle (mentioned in yesterdays Minutes) inclosing the Copy of a Letter from Capt Edward Massey to the Secretary at War in relation to the Hardships which the Independent Company at Fort King George lies under. And after some discourse with General Nicholson thereupon Their Lordships desired he would let them have in writing what he had to offer upon that subject. In the meantime Ordered that an Extract of the said Copy of a Letter from Capt. Edward Massey be given to General Nicholson.

An order in Council dated the 14th July 1727 referring to the Board a petition from South Carolina for permitting Old Bills of Credit to be continued was read and their Lordships resolved to consider further thereof at another opportunity

28 September 1727

A Letter from Mr Yonge Agent for South Carolina dated the 24th of September 1726 inclosing twelve Acts and one Ordinance of that Province was read and Ordered that the Acts therein mentioned not now expired be sent to Mr Fane for his opinion thereupon in point of Law.

The six undermentioned papers received from Mr Wragg the present Agent for the province of South Carolina the 6th of July last 1727 were laid before the Board Vizt Journal of the Commons House of Assembly between the 25th day of April and the 30th day of April 1726. Journal of the Commons

Commons House of Assembly between the 17th of May 1726 and the 21st May 1726 Report of the Committee on the Treasurers Accounts dated the 23rd Nov.r 1726 Copy of the Journal of the Upper House of Assembly from the 17 Nov.r 1726 to the 23d of December 1726. Copy of the Upper House Journal begun Tuesday the 4th day of October 1726 and ending Saturday the 8th of October 1726. Copy of the Council Journal relating to the Indian Affairs dated Thursday Sept.r 1st 1726

A Letter from Mr Middleton president of the Council and Commander in Chief at South Carolina dated the 6th of May 1727 was read and the papers therein referred were laid before the Board viz!:- Copy of a Representation from the Inhabitants of Carolina to the president complaining of several grievances: Copy of a proclamation by the president and Council for prohibiting tumultuous Assemblies Two letters from Mr Middleton president of the Council and Commander in Chief in Carolina to General Nicholson Governor of the said province.

* * * * * * *

17 November 1727

Ordered that General Nicholson be reminded of his having promised when he attended the Board the 27th of Sept.r last to give their Lordships in writing what he had to offer in relation to the Fort built on the Alamataha River in South Carolina

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28th November 1727

General Nicholson Gov.r of South Carolina attending laid before the Board a Letter which he had received from the president of the Council enclosing

enclosing some depositions from some persons who had been taken by the Spaniards upon the Coast of Carolina. and the Copy of a Letter from Capt Massey to Kingsmill Eyre Esq enclosing Copies of several others relating to his having abandoned Fort King George upon the Alatama River

Genl. Nicholson also laid before the Board some remarks which he had made upon the Copy of Capt. Massey's Letter delivered to him the 27th of Septr. last in relation to the Fort built upon the Alatamaha River were read and their Lordships after some discourse with him upon this subject gave directions for preparing the Draught of a Representation thereupon

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1 December 1727

The Representation upon the Copy of a Letter from Capt. Massey referred to the Board by the Duke of Newcastle's Letter of the 23rd September last mentioned in the Minutes of the 26th of the same month in relation to the hardships which the Independent Company at Fort King George lies under and likewise to the utility of the said Fort agreed yesterday was signed as also a Letter for enclosing the same to the Duke of Newcastle with the Copy of Jacobus Kiersted's deposition mentioned in the minutes of the 28th of the last month in relation to several Periagua's fitting out by the Spaniards at St Augustine to cruize upon the Coast of South Carolina

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B. P. R. O. South Carolina (B.T.) Vol. 25. p. 226.

July 5th 1727.

To Francis Fane Esq.

Sir,

My Lords Commissioners for Trade & Plantations, command me to send you Fourteen Acts of the Assembly of South Carolina pass'd in March 1726/7. Which you will herewith receive according to the inclosed List; And thereupon to desire your Opinion in point of Law; as soon as conveniently may be.

I am,

Whitehall, Sir,

5 July 1727 Your most humble Servant

A. Popple.

Acts Pass'd in South Carolina in March 1726/7 enclosed in the fforegoing Letter to Mr Fane.

An Additional Act to an Act, Entituled, an Additional to Act for the Keeping and Maintaining a Watch & good Order in Charles Town

An Act for making a New Road between the North & Middle Branch of Stono River

An Act for Establishing a Ferry from the Landing of

of Mr. John Godfrey cross Pon Pon River.

An Additional Act to an Act for the Tryal of Small and mean Causes.

An Act for cutting & clearing a Creek commonly called Biggon Creek.

An Ordinance for the Adjournment of the General Sessions.

An Act to preserve the Navigation & Fishery in the several Rivers & Creeks in this Province.

An Act for appointing an Agent to Sollicit the Affairs of this Province in Great Britain.

An Act to revive and continue the several Laws therein mentioned.

An Act for the Encouragemt. of Killing and Destroying Beasts of Prey.

An Act to Impower Commissioners to Lay out & keep in Repair a Road from Westo Savanna into Pon Pon Road.

An Act for the better Securing this Province from Negro Insurrections, & for Encouraging of Poor People by Employing them in Plantations

An Act for Raising the the Sum of Twenty Seven Thousand, Four Hundred & Fifty Two. three Shillings, & two pence half penny for Defraying the Charges of the Government for One Year, Commencing the 29th Day of September 1726 and ending the 29th Day of September 1726.

An Act for the better setling of the Courts of Justice

B. P. R. O. South Carolina B. T. Vol 3
C. 3

At the Council Chamber Whitehall the 14th: July 1727

By a Committee of the Lords of His Majestys most Hon.ble Privy Council

Whereas his Majesty was pleased by His Order in Council of the 6th of this Instant to refer unto this Committee the humble representation and petition of the General Assembly of the Province of South Carolina praying for several Reasons that His Majesty will be pleased to permit them to pass a Law, whereby instead of burning the Bills of Credit, already paid and that may be hereafter paid into their Treasury, they may be empowered to Issue and apply the same towards repairing the Fortifications and Erecting such New Ones as shall be thought necessary The Lords of the Committee this day took the same into Consideration, and are hereby pleased to Order that the said petition be referred to the Lords Commissioners for Trade and Plantations to examine into the same and report their Opinion thereupon

Edward Southwell

Recd 19 July }
Read 27 Sept } 1727

(56)

(Inclosure) To the Kings most Excell^t. Majesty in Council

The humble representation and Petition of the General Assembly of the Province of South Carolina now convened at Charles Town the eleventh of March One thousand seven hundred and twenty six

Sheweth That in the Year 1722 upon the Petition of Sundry Merchants to their Excellencies the Lords Justices complaining of a Law for printing and making Current the sum of £120,000 in Bills of Credit passed by the General Assembly of this Province and ratified by Francis Nicholson Esq your Majesties provisional Governor. their Excell^s. the Lords Justices were pleased to disallow the said Law and signified the same to the said Governor accordingly

That the aforesaid sum of £120,000 was printed and the greatest part issued pursuant to the direction of the said Act before the Repeal from their Excell^s. the Lords Justices was received

That your Majestys General Assembly paying obedience to their Excell^s. the Lords Justices orders did upon their firs meeting pass a Law directing the sum of £55000 to be called in and burnt by Funds which had been before appropriated towards the support of your Majestys Government here

That pursuant to the said Law the sum of £12645 has been paid into the Public Treasury and burnt. and that there is now due for duties the sum of Thirteen thousand four hundred and thirty two pounds nine shillings and sixpence one farthing not yet burnt.

We therefore humbly beg leave to represent to your Majesty that since the Application of the said Fund for calling in and burning the Bills of Credit amounting to £55,000 your Majestys subjects in this Province are laid

under

under insuperable difficulties and hardships from the Great Taxes they are obliged annually to raise for the security and support of this Government which as it is contiguous to the Spaniards at St Augustine as well as the French at Mobile they for several years have and still are under a necessity to maintain three Garrisons and keep a Body of Men constantly to range by Land, and Boats to scout by Water to prevent the daily Incursions and Murders by the Yamasee and other Indians on your Majestys subjects living on the Borders of the Province

Secondly that in case of a War with either the Spaniards or French this Frontier Colony of Your Majestys upon the Continent of America will be in great danger of falling a sacrifice to the Enemy since the several Fortifications in the Province are almost ruined and quite defenceless

Under this distress therefore it is that we in the most Dutiful and Loyal manner represent to Your sacred Majesty the hard circumstances of your Subjects and humbly pray that you will be graciously pleased to ease their great and heavy Taxes by giving your Royal Orders to your Government here to permit your General Assembly to pass a Law whereby instead of burning the Bills of Credit already and still to be paid into the Treasury by the Sinking Fund abovementioned that the Bills may not be burnt but that the said sum £13432. 9. 6½ as well as what will hereafter arise for duty shall be forthwith issued and applied for repairing the Fortifications and erecting such new ones in the province as shall be necessary for the security and defence of the same, or in such manner as to your Majty shall seem meet.

And Your petitioners shall ever pray &c

1726/7 March 8th 1726 Signed in Council } Arthur Middleton

By order of the Commons House of Assembly } Thos Broughton Speaker

B. P. R. O. South Carolina B. T. vol 3.

C. 40. 24. July 1727

To Francis Nicholson Esq

May it please your Excellency

I herewith send you the accts of my office from the 25th of Dec to the 25th of March and from thence to the 24th of June having had the misfortune of a terrible relapse from April to this Instant occasioned my not sending the March Qr when due The daily expectacon of being honored with yor Excellcys presence with us here was the cause I did not swear to my Accts before the presidt when in Town about 3 weeks agoe but this ship (Captn Austin) falling down this day and His Honor the Presidt being absent at Port Royal & none of the Council in Town obliged me to prove them before a private Magistrate

I humbly beg yor Excelly would not look upon it as an omission of my duty in not doing myself this Honor oftener of late but the certain report of a Warr made us flatter ourselves of yor Excellys presence before now. I shall by the very next ship (which sails from hence in 10 days) send your Excelly a Duplicate of said Accts as also an Exact accot of the Increase of Trade & of Negroes &c. prov'd before the Honble the President & Council according to yor Excellency's former Commands

The disturbances of the Government in Land: Smiths intended Rebellion & the continuance of his confinement as likewise of Mr Richd Allens being made Chief Justice in the room of Majr Hepworth I question not but that the Atty Genl & others have endeavored to acquaint yor

Excelly

Excell^y with the full thereof & time being so very short in this Capt^s going compel led me from enlarging thereon. The 8th of this inst Major Blakeway died, the Att^y Genl Mr Whittaker has accepted of the Judge of the Adm^y in his room til further orders from Yo^r Excell^y but who succeeds in his Office of Clerk of the Assembly is not determined till the Meeting of the House the first of next month. Upon Mr Blakeways being appointed Judge of the Adm^ty yor Excell^y was then pleased to recommend me to the Vendue M^rs place but as the Council thought it proper to be divided between us & which we was jointly concerned in till Mr Middleton was pleased to appoint Edwd Crofts in the room of Maj: Blakeway (as I informed yor Excell^y) the Enumeracon being off Pitch Tar &c hath so considerable lessened the Fees of my Office & the death of the poor Gent^n yor Excelly was pleased to put in that employ presses me to begg the favor of yor Excell^y as yor unbounded goodness has been unlimited to me that you would be pleased to confer the Enjoyment of that place on me which will enable me to support the Kings Commission which I have the honor to bear under Yo^r Excell^y with a dignity suitable. As to the misfortune to my Eyesight I began to be in a fair way to recovery till my unhappy relapse but as I hope that it is over and doubt not but by the help of God as my strength returns to recover the same. I sent yor Excell^y an Acco^t of Mr Fitz Williams being here &c but have not been honor^d with any of yor Excell^ys commands since Capt Maxeys arrival should be very proud in daily receiving any yor orders but much more to see yor Exc^y that I might in person assure you how sincerely I am Your Excell^ys

Rec^d 2 Jany 1727/8 }
Read 16 July 1729 }

Most dutiful & humble Servant

Wm Hammerton

B. P. R. O. South Carolina B. T. Vol. 3

C. 11

Charles Town 2 Sept.r 1727

Sir

Inclosed I send you a Copy of my Ltr to ye Secretary of War concerning ye abandoning Fort King George in order to preserve and protect Port Royal and the Southern Settlements pursuant to ye desire of ye Governm.t here On the 30th past I drew a sett of Bills on you for one hundred pounds Sterl payable at thirty days sight to Mr John Wright or Order

We have had very stormy weather for some days past when it settles I shall take Boat for the Fort to bring off the Cannon &c as soon as the necessary Transports for ye service are sent thither If no Recruits are already sent from England for my Company pray let about 12 or 15 be embarked as soon as possible for I am very desirous of making ye Company answer His Majestys most gracious Instructions in protecting this his province. which if it continued at ye Fort it would be impossible to do

About Christmas I shall be able to send you an Account of ye quantity & species of Clothing I shall have occasion for, Coats and Breeches I shall want a few of. be pleased to favor me with a state of my accounts & believe me to be with ye greatest esteem and respect. Sir

Your most humble & most obliged Servant

Edw.d Massey

My humble duty to Gen.l Nicholson & best respects attend my good namesake Capt Evans & all friends at Chelsea

P. S. The weather appearing something settled I design to leave this place with the

the evening tide. I hope an order is already procured for obliging ye Country to put ye Company on ye same Establishmt with ye rest of ye Forces in America I send you Copies of the President Council and Assemblys Lres which visibly shew the Necessity and Advantage of removing ye Company from that destructive Fort for ye preservation of so great a part of ye Country which if abandoned wou'd leave ye Company (if it was to remain at ye Fort) inevitably to perish for want of provision wch even in time of Peace have been procured wth the greatest difficulty and an insupportable expense.

On His Majestys Special Service

For Kingsmill Eyre Esq at ye Horse Guards London

Copy of His Majests Honble Council & ye Speaker of ye Comons House of Assemblys Lre

Sir The General Assembly of this Province upon the frequent Advices received from time to time of ye Extream danger our Southern Settlements are exposed to by the Insults of our Enemy Indians (who have lately there murthered several of his Majesties Subjects) have upon considering of the most proper ways and means to defend our Southern Frontiers and securing the Inhabitants there from their barbarous Indian Enemys thought the Removal of His Majesties Independent Company under your Command from Fort King George (where at present tis useless) to Port Royal Island the best expedient to Effect ye same and protect those parts which now lye very much exposed to the attempts of the Indians and Spaniards We do therefore think it for His Majestys Service and yt of this Province yt ye sd Company be removed with all convenient Speed to Port Royal and make it our hearty request to you yt you be pleased to order yt same to be done In doing which you will do a signal service to this Province We are Sir

Your

Your humble Servants

Benjⁿ de la Conseillere Wᵐ Bull A Skene B Schenckingh

Thomas Broughton Speaker Charles Hart Secretary

Charles Town Council Chamber } In the Comons House of Assembly Aug 26th 1727

20 August 1727 } Signed by order of the House

Copy of the Presidents Letter

Sir It being yᵉ opinion not only of His Majestys Honᵇˡᵉ Council but also of yᵉ Commons House of Assembly that it will be for His Majestys Immediate & Especial Service and the safety of this His province that yᵉ Company under your Command now at Fort King George should be moved to Port Royal in order to guard & protect the Southern Settlements against our Indian Enemys now infesting the same

I must therefore joyn with them in desiring you to remove the said Compʸ (if you believe it will not be of any Injury to His Majestys claim to the River Alatamaha) to yᵉ Island of Port Royal which will be of the utmost Service in the protection of those parts as well as of benefit to this His Majestys Province in General I am Sir

Council Chamber August the 31st 1727 Capt Massey

Your affecᵗᵉ Friend and humble Servᵗ

Ar. Middleton

Charles Town Aug 31st 1727

The enemy Indians having already appeared among yᵉ Southern Settlements & committed several Murthers & the Inhabitants of Port Royal expecting daily to be visited by yᵉ Spaniards in conjunction with those barbarous people

people have by humble petition represented to y^e. president Council & assembly now sitting that unless His Majestys Independent Company be speedily removed thither for their protection not only that flourishing Island but all the Settlements in those parts must be abandoned to their utter ruin & destruction they being in hourly danger of their lives and in no condition of defending themselves.

The enclosed will shew the sense of the Government on this melancholy occasion. and I doubt not but the preservation of the lives and Estes of so many of His Majesty's Subjects will sufficiently justify the abandoning a Fort not Tenable and which never did nor can afford the least protection to the Province I am with the most profound respect Sir

Your most humble and most devoted Servant

Copy of a Letter to the Rt. Honble. Henry Pelham Esq. Secretary at Warr.

Edwd. Massey

Recd. Novemr. 20th }
Read Novemr. 25th } 1727

B. P. R. O. South Carolina B. T. Vol 3

C 9.

Charles Town South Carolina 14 Sept. 1727

May it please your Excell^y

I have had no opportunity of sending to you since Rodwell and pain till now when you may expect to receive Copys of Journals&c but as I cant be able to send them by this ship Ill do my utmost to send them by the next but in the meantime I give Your Excellency the short acc^t of our present affairs

The affairs of the Petitioners is at present somewhat more easy they having other subjects to divert them

I called the assembly the 1st Augt to proceed on proper methods to appease the Multitudes

Aug 2^d Received advice of Smallwood the Indian Trader & two others being killed and robbed by the Indians in our Frontiers

Aug 3^d The Comons took upon them to make Extraordinary resolves Arraigning the proceedings of the Govern^t and to enquire into the Commitment of Landgrave Smith in Custody of the Provost Marshall for High Treason in levying War against his Majesty &c which is only Cognizable in his Majestys Courts of Justice. Augt 4th the house was sent for and forbid the same & they returning & persisting It was unanimously agreed in the Upper House to prorogue them till the 2^d Tuesday in September by Proclamation

Augt 14th Received the advice of some more of our people being killed & the rest terrified Ordered a Meeting of the Council on the 17th when they resolved to call the Assembly the 23rd of the same Month they met and was layed before them the several accounts from the Frontiers

and

and from the Traders relating to the Insolent behaviour of the Indians. since which has been resolved to send two Expeditions one of 50 men and proper Officers against the Yamasees and another of three hundred with proper officers ag.t the Lower Creeks we are endeavoring to get a good number of our friend Indians to join them.

Landgrave Smith at an adjourned sessions on his petition for the benefit of the Habeas Corpus Act was admitted to bail & gave Security 10000 pounds

The Spanish privateers have been very troublesome & have taken several vessels coming hither so that we have not been able to receive any accounts from any place so that we may fear they have taken our ships from Great Britain But what acco.ts we have is by several of the Masters of the vessels taken and put on Shore as follows A Schooner from hence taken and sent to the Havannah Capt Austin of the Lydia was chased and is since come on shore his ship lost and sold Capt Hemstead from New York in the Sloop Two Brothers laden with Flour taken and sent to the Havannah. Capt Middleton in the Sloop Betty belonging to M.r Andrew Allen and laden with bread and flour taken and carried to the Havannah John Hall of the Snow Begining of Bristol from the Bay with Logwood taken and plundered his snow given to him again and several of the prisoners put on board him & sent in hither The privateers on this Coast number four as now two Sloops and a Schooner the Famous Commander Bloss was he that took these Vessels

On the foregoing Acco.t the Man of War imediately set out & Capt. Mountjoy in the Sloop Palmer fitted out with proper Armes Ammunition and Stores of Warr Manned with one hundred men set out the 12.th instant

to

to Scour the Coast and protect the Trade his Time limitted to about six weeks Cruize.

We have a Bill now before the Assembly to defray the Charge what may be the Proviso therein I Cannot at present tell but heartily wish it may be agreable to His Majestys Royal Instructions and do further hope they will go through this Bill before any other thing be promoted by the Comons to the Interruption thereof which done I think the seasons of the Year the Harvest and the fitting out ye said Expeditions will be sufficient Reasons for further Proroguing the Assembly till a more proper time before which I hope here to kiss your hand and am

Your Excellencys most obed.t humble Servant.

Ar Middleton

P. S. Capt. Massey hath prevailed on both houses to Vote in favor of removing Fort King George with the Cannon Ammunition and Stores to Port Royal for the defence of that place but I could join with them in requesting him so to do without this Caution in my first letter to him [If you have the power so to do] to which he objected on which I amended it with the following words instead thereof Viz.t [If you believe it will not be of any Injury to His Majestys claim to the River Alatamaha]

C. 10

South Carolina. Plantations General

Three affidavits and an Examina.n of several Mariners relating to British Vessels taken by Spaniards in the American Seas, referred to in a letter from Mr Middleton to Gen.l Nicholson dated 14th Sept. 1727

Rec / Read } Nov 28th 1727.

B.P.R.O. South Carolina B.T. Vol 3.

C.41 15 September 1727

To Francis Nicholson Esq

May it please yor Excellency

The enclosed packet wth a duplicate of Accots was sent some time since ꝑ Capt. Austin but soon after his departure was unfortunately chas'd and lost his Ship near Port Royal his Letters being saved this was returned to me which I thought proper to send your Excelly with the original Accots proved before the president & Council (this being my first opportunity since my former)

Our Coast has been much infested with Pirates who have taken four sails bound in here with provisions &c but at present I hope we are clear (the Man of War having cruised this 10 days and now waits at the Bar to Convoy this Ship out of danger) the country has likewise fitted out a sloop of 14 guns & Eighty men which Sloop sailed 4 days since so that we hope our Coast will be cleared

Last week arrived a Vessel from Barbadoes which brought us the melancholy news of the death of His sacred Majesty &c but as this is only Report & we daily expecting a Vessel from England no public notice is taken thereof till orders The Council and Assembly are now sitting by whom I presume you have a particular Account of all affairs of this Government

I petitioned your Excellency in the enclosed packet about the Vendue place on the death of Major Blakeway & beg leave again to request

request. must likewise acquaint your Excell^y. since the enclosed M^r. Wright Collector of Port Royal died the first of this month in which vacancy M^r. Saxby appointed his son who was yesterday sworn accordingly till he is either confirmed or some other appointed from home I know not what salary or upon what footing that Collectorship stands. but as I am assured of yor. Excell^{cy's} goodness to me (if it would be more advantageous to me than the Commission I enjoy and the young Gentlem^n. is not confirmed at home) I should gladly accept the same but if our wishes succeed in Your Excellencys return to us shall alway think myself happy to be near yor person or under yor. immediate Command but if we are so unfortunate as to be deprived of your Excellency's presence I flatter myself your usual goodness will provide me some certainty so as not to be lyable to removance

Capt Massey is gone to the Southward to remove the Fort from Alatamaha to Port Royal which must much encrease that place As to the northward M^r. More and some others of this province join with the N^o. Carolina people in soliciting for officers at Cape Fear and give it out they daily expect that place to be opened as a port but whether they will succeed or not your Excellency must know better than they.

It is with the greatest impatience we expect a London Ship by whom I hope to be honored with Your commands & most sincerely wishing yor. Excell^y all health & happiness I am with the strictest attachm^t.

Your Excell^{cys} most dutiful & obedient Servant
W^m. Hammerton

Rec^d. 2 Jan. 1737/8
Read 16 July 1739

2446

B.P.R.O. South Carolina B.T. vol 3

C. 2

Whitehall 23 September 1727

To the Lords Comm.rs for Trade &c

My Lords

I herewith send your Lordships a Copy of a Letter to the Secretary at War from Capt. Edward Massey who commands in Independent Company of Foot at Fort King George in South Carolina. setting forth divers hardships which the Company suffers from the unwholesome situation of the said Fort. and the badness of accomodation there: which I desire you will please to consider, and to send me a full state of that matter, together with your opinion what may be done to remedy the Inconveniencies complained of. that I may lay the same before His Majesty and receive His pleasure upon it

My Lords

Your Lordships most humble Serv.t

Newcastle

Rec.d 23 Sept } 1727
Read 26 D.o }

(Inclosure)

247

(Inclosure) South Carolina April 26th 1727

Sir

In obedience to His Majestys commands signifed to me at London by your Order of the 19th August last. I humbly lay before you the following Representation of the unhappy circumstances in which I find my Company now doing duty at Fort King George.

The Fort (if a place incapable of defence may be called by that name) is situated 150 miles beyond any settlement and in the most desert part of the Province for the security of which or any part of its Trade it might as usefully have been placed in Japan. its whole extent does not exceed one third of an Acre. part of it is in a Marsh which renders the air extremely unwholesome. this joyned to the hard necessity of eating Salt provisions all the year has destroyed great numbers of men of which the death of 4 Commission Officers a surgeon + 130 odd Sergeants and private Centinels in the space of six years. is too fatal a proof not to mention the great desertion it has occasioned.

In this destructive place we are not only destitute of every conveniency and accomodation but labor under the greatest difficulties + heaviest pressures in procuring even Salt provision for the preservation of Life, the great Expence of Carriage making that as well as all other necessaries much dearer than fresh and wholsome provision in the settlements, and as there is but one season for curing the Beef and Pork at which time the whole years store must be laid in great quantitys of it too frequently corrupt and Stink before it has been six months in the pickle. and what wretched and unwholesome food that which remains must be is not hard to judge after being from Six to Twelve months

in

in Salt. this miserable condition has made the men weary of Life its self and been the occasion of frequent Mutinies and disorders & I am very apprehensive they will desert in a body if they have no hopes of being relieved.

On this occasion I beg leave to take notice of the unaccountable and injurious treatment we receive from the Country for whose assistance and relief His Majesty was graciously pleased to raise and pay the company. they deny Quarters to the Recruits when landed as likewise to any detachment on Service and refuse to supply the Garrison with either Bedding, Fire or Candle tho' I have made all proper application by Memorial to the President and Assembly during their Session, desiring only to be put on the same foot in those Cases with the rest of His Majesty's Forces in America.

The accomodations in the Fort both for Officers and Soldiers are fit for none but negroes there are but four small rooms (I should have called them closets) for a Captain. Two Lieutenants, two Ensigns, a Chaplain and a Surgeon, built of thin slit Deal only which are no shelter against the excessive heat in summer nor the piercing Winds and cold in Winter the men are provided for in the same manner but much more closely stowed together, there is but one Chimney in the Garrison. no oven for the men to Bake their Bread. no Fire place to boil their Meat, not so much as a guard house, Cannon indeed I have, but without Ball Rammer or Sponge. for all which I have applied and been refused. had a nest of Pirates been settled where we are I question whether there would have been care taken to distress them so much: I find I am not to expect Redress or Assistance from the Country who I firmly believe (some few persons excepted) would sacrifice not only this unfortunate Company but all His

Maj^ty^

Maj^ty^s Forces if in their power could they either save or gain half a score of paltry Negro's by it. This S^r is a faithful and impartial state of our condition and treatment. which I most earnestly entreat you will be pleased to represent to His Maj^ty that we may be relieved in such manner as His Majesty in his great Wisdom shall think fit

On the strictest Enquiry I cannot find the late Fort was burnt by design but have reason to suspect the Men were not so active as they might have been in extinguishing the fire. in hopes by the destruction of the Fort they should be delivered from the Miseries they had so long suffered which are inexpressible.

Lieut Huddy not being very capable of further service I have given him leave to wait on you to resign his Commission in order to be put on half pay Ensign Whitley who was guilty of several Irregularities being dead I pass them over in silence. uneasinesses and differences among the other Officers I hope I have composed.

I will not trespass longer on your patience (therefore omit several subjects of Complaints) but with great submission recommend myself & the Company to your favorable protection begging leave to assure you nothing in power shall be wanting to introduce Discipline, good Order and render the Company useful to his Majesty's service

I am with the most profound respect, S^r

Your most humble and most obed^t Servant

Edward Massey.

P.S. In divers parts of the Province for some days past the people have been

been and are assembling in a riotous manner under pretence of petitioning but in reality forming a Seditious if not Treasonable association. yesterday on of the Ringleaders was apprehended and committed by Mr Skeene one of His Majestys Council. April 27th Just now a Justice of peace has granted quarters to two men of my Company who came with me from the Fort to guard a Criminal who is since convicted of Murther I applied to the president nine days ago on that head and was refused, as I was at Port Royal when I arrived there with the prisoner they still refuse Quarters to Recruits or any Detachments on the Kings service

B. P. R. O. South Carolina (B.T.) Vol 25. p. 228.

Sept 25: 1727.

To Francis Fane. Esq.

Sir,

My Lords Commissioners for Trade and Plantations command me to send you the inclosed Acts passed in South Carolina in 1723/4. 1724, & 1725, Entituled.

An Act for setling a Fair & Markets in the Town of Dorchester in Berkley County, being a Frontier in that part of the Country.

An Act for the Founding and Erecting, Governing, Ordering, and Visiting a Free School at the Town of Dorchester in the Parish of St. George in Berkley County, for the Use of the Inhabitants of the Province of South Carolina.

An Act for the better Regulation of the Indian Trade and for appointing a Commissioner for that Purpose, & to Survey and Supervise the Garrisons.

An Act for the Incouragement of making Salt in the Province of South Carolina.

An Act for Vesting the Sole Right of making Salt in this Province in William Mellichamp, his Heirs and Assigns, for Fourteen Years.

An

An Act for preventing the Seas further Encroachment upon the Wharfe or Street commonly called the Bay in Charles Town, & for the Expeditious repairing & finishing ye Front-Wall thereof.

An Act to revive and continue the several Acts therein mentioned.

An Act for Establishing a Ferry from the Plantation of James Wrexam deceased, in Colleton County, across Pon Pon River, & for appointing a Scout at Pon Pon, and for exempting the Inhabitants of Wassumsan from working on a Road from William Smiths Plantation to the Chappel at Goose Creek.

and to desire your Opinion thereupon in point of Law as soon as conveniently may be.

I am, Sir,

Whitehall. Your most humble Servant.

28 Sept. 1727. A. Popple.

B. P. R. O. Carolina Prop.^y B. D. Vol 5 p 182

12 Oct 1727

To the Right Honble the Lords of his Majestie's Council in Committee

Reasons humbly offered by the five subscribing Lords Proprietors of Carolina why His Majesty should take the Government of South Carolina absolutely into his own hands and not send a farther Provisional Governor thither entirely depending on his Majesties great Justice and Goodness to secure to all the Lords Proprietors their right of soyl and the Levying the arrears of Quit rents and the accruing rents. That the experience of a Provisional Governor convinces the subscribing Proprietors that the many grievances and injuries complained of by the Proprietors and the great difficulties and discouragements the Province labors under will not be remedied by a Provisional Governor The situation of the Province being now more discouraging to new Settlers the Laws being more Voluminous and obstructive to Commerce than before any Provisional Governor was sent. that a Provisional Governor naturally looks upon himself only to be sent for a short time and the planters can with less expence make himself their friend than be just to the Lords Proprietors and that is the method they have taken and it is feared will continue to take.

The great distractions in the Colony make it necessary to have some Governor to be sent as soon as may be and the subscribing Proprietors hearing by report that Mr Johnson sollicits to be sent Governor with all due deference to your Lordships wisdom humbly conceive him not to be a person properly qualified (as they could wish) in the present critical circumstances

For if Mr Johnson acted with that ardour and duty as he ought when he

he was the Proprietors Governor he will necessarily behave with resentment towards those persons who deposed him and if he was remiss and faulty in discharge of his duty the subscribing Proprietors are confident such a behaviour will not at the least recommend him to His Majesty's Royal Favor

And here the subscribing Proprietors beg leave to observe that Mr Johnson was Governor of a Province in which the Capital Town was strongly Fortified had seventy pieces of Cannon mounted. that there was also at a distance from the Town a Fort well manned and had Eighteen Guns mounted. that many of the Principal Inhabitants were Mr Johnson's near relations. and yet there was not the least struggle made. not one Gun fired. but the Government quietly given up into the hands of the People

That the subscribing Proprietors despair of having their Rights and Quit Rents taken care of by Mr Johnson. who is himself a very great Planter holding more than 19000 Acres of Land in his own right that many of his relations are likewise the most considerable Planters in the Province. and all of them in Arrear for Quit Rent for a great many years. and it is humbly presumed that Mr Johnson is only acceptable to those Merchants here who have also very good Plantations in South Carolina

That Mr Johnson during his late Administration in South Carolina without consulting his constituents passed an act laying a great duty upon all British Commodities imported into Carolina. which by a General Complaint of all the British Traders procured a very particular order from the King an Council to which the subscribing Proprietors beg leave to refer.

That

That the paper money in Mr Johnson's government was very much increased (notwithstanding all the methods used by the Proprietors to prevent the same) and it is impertinent to observe to your Lordships what prejudice that has done to Trade and what numbers of poor people have suffered by it Your Lordships having been addressed with so many complaints on that head.

That the Subscribing Proprietors humbly hope that some regard will be shewn to a Majority of a community the Palatin being only the Elected President of their Board, nor has he any more power than a casting voice upon an equality

That the Subscribing Proprietors conceive Mr Hutcheson's purchase to be subject to Sr John Tyrrel's Act who joined with the subscribing proprietors in the petition to His late Majesty

That one of the subscribing Proprietors who is Guardian to the Duke of Beaufort doth aver to your Lordships that he has a Decree of Chancery to dispose of that Property and he hopes he does his duty to that young nobleman when he acts for him as for himself

The proprietors motives for surrendering the Sovereignty of South Carolina to the Crown were the peace and prosperity of the Colony and the pleasure they shall always have to enlarge his Majesties Dominions and Prerogative. 12 October 1727

The above is a true Copy of the Reasons which were read this day in the Privy Chamber (the Palatin being there present) and one of the

purposes

purposes of them being to preserve equality among the Proprietors without confusion pursuant to our Charter and Usage you are therefore hereby directed to enter the same in the Book of the proceedings of our Board

To Richard Shelton
our Secretary

Beaufort. Craven. Ja Berke
Hen: Berke. J. Colleton

B. P. R. O. Carolina Prop.ᵗˢ Vol 5. p. 185

[after 12 Oct. 1727]

To the Kings most Excellent Majesty the humble Petition of the Lords Proprietors of Carolina

Humbly sheweth

That your Petitioners most humbly beg leave to represent to your Majesty their resolution to adhere to their Petition presented to His late Majesty your Royal Father for surrendering to the Crown the Soveraignty of the Province of South Carolina

And that till proper method is advised for your Majestys acceptance of such surrender your Petitioners in pursuance of their undoubted legal right of appointing Governors granted to them by their Charter do hereby with all humility recommend to your most sacred Majesty Colonel Samuell Horsey for your Majestys Royal approbation according to the Statute in that case

And your Petitioners shall ever pray &c

Beaufort. Craven. Ja. Bertie

Hen. Bertie. J. Colleton

B. P. R. O. A & W. I. Vol. 18. p. 153.

November ye 7th 1727.

My Lords,

I having accidentally procured a coppy of a paper putt in by five of ye Lords Proprietors of Carolina, to the Rt Honble the Lords of his Maty Privy Council, very much reflecting on me. I did Petition their Lordsps to be heard to vindicate myself from their unjust Calumnys, but under-standing that cannot be granted. I thought it nevertheless incumbent on me to endeavour to satisfie your Grace of my Innocency as to the Points they charge me with which they have suggested only with a Mallicious view of antici-pating & preventing his Maty favours to me.

I thought it would be to trouble yr Grace too much to Annex the Proofs referred to in the Margin, which I have by me to prove what I have there said if your Grace shall please to Command me so to do, who am

My Lord

Your Graces

most obedt & most humble Servt

Robt Johnson.

Enclosure

(Enclosure to Letter of 7th Nov. 1727.)

The Answer of Robt. Johnson Esqr. to as many of the Reasons as relates to him, offered by ye five subscribing Lords and Proprietors against his being appointed Governour of South Carolina.

Their first objection is that either Mr. Johnson Did, or Did not his Duty when he was Governour for the Proprietors if he did it will occasion his Resent-ment to those who Opposed him, and if he did not it is a Conduct that will (they hope) not recommend him to his Majesty's Favour.

To this Mr. Johnson Answers, that during his Two years and Halfe continuance in that Government he discharged his Duty therein with Justice both to the Propriet.rs & the People & when the subscribing Pro-priet.rs shall think fitt to give any one Instance of his Failure therein, he is ready to give an answer thereto; That he gave the Propriet.rs from time to time Accounts of the Scituation of their Affairs in that Collony and proposed what to him appeared proper for their and the Peoples interest, But does verily believe they were never laid before them by Mr. Shelton their Secretary, against whom the People of

of Carolina have the Highest prejudice. Esteeming him to be the chief author of all the Hardships they complain-ed of, and the cause why it may very reasonably be thought Mr Johnsons Letters were not delivered is, because he never was favoured with Answers to any after the revolt, That when the Discontents of the People arose to that height that their renouncing the Lds Proprietor's Government followed, Mr Johnson did all he could to prevent that Revolt, and to suppress it afterwards, But the Discontents were so Universal that he found himself intirely Deserted and unable to support himself in the Government, That it is notoriously known in that Collony, that the Discontents were no ways Occasioned by any part of Collo Johnsons administration or dislike to his Person but intirely from the Ill treatment they thought they met with from the Acting Proprietors and their Secretary, as may more fully appear by the address they made to him to take the Government on him in the King's name which he absolutely refused, but continued to exercise as much authority as he cou'd untill the Arrival of Genl Nicholson. That after Genl Nicholsons Arrival they continued to Treat Mr Johnson with Civility and Respect, and Frequently declared their wishes that he could

could have been prevailed upon to have accepted the
Government in the way they would have had him, and
at his Departure for England, they exprest their Respect
and Regard for him and since Mr Johnson's arrival,
he has received the thanks of the Genll Assembly for
Services done the Province here in his private capacity,
therefore to conclude this head, as the People have never
shewed any Disregard to him (but to the Proprietors
Government) there can be no reason to think he will
shew any resentment towards them, which is ap-
-parent they do not at all seem to apprehend. It is
true that there was 70 peices of Cannon Mounted
on the Fortifications of the Town and a Fort near
it, but those who were in, were intirely in the Interest
of the Revolters, and appeared in Arms for them by
Command of the Assembly.

In answer to their second Objection, Mr
Johnson does admit that he does hold considerable
tracts of Land in Carolina, as does some of his
Relations there, but denies he is their Debtor for
Quit rents, but on the contrary he has above £500
due to him from the Proprietors over and above all
Quit rents due to them, & he is very well assured
that if his Relations owe them anything on that head,
they

they are (as they themselves set forth) such considerable Planters, that is men of such fortunes, (and he believes) of such unblameable Characters, that they have never refused paying what is justly due from them, and if there is any Arrear due, it probably proceeds from the Proprietors not having appointed any Person to receive their Rents for several years past, and from the Neglect and Obstinacy of their Receiver when they had one, there being in that Province not only all the Laws of England in force to enable them to receive their Rents but a very particular Law for that purpose, and Mr Johnson humbly hopes, that his having Relations who have good Estates in the Province (and they might have said one of them Speaker of the Assembly) will be thought no Objection to Mr Johnsons serving his Majty And the reason is very new, why he should not govern a Country because he has a considerable Estate in it himself, which none of his Majesties Roy.ll Predicessors thought a disqualification but has allways been deemed the Contrary for who is more likely to promote the true Interest of a Collony than he whose Personal Interest it is so to doe, and it is very inconsistant to make that

a

a reason against Mr Johnson's being Governour, that has been urged in behalf of a Person the subscribing Propriet.rs espouse Vizt (that he has a large family and Designs to settle them in Carolina nor did the Proprietors themselves think this an objection when they appointed his Father and himself, to the former of whome they owe in a great measure that the Province is now in their own possession, for had not Sir Nath.ll Johnson Fortifyed the Town and built the Fort now called after his name, and afterwards bravely defended it, the French and Spaniards would have accounted with them for their Lands and Quit rents, if they had said he was necessitous and wanted to get a Fortune, the Objections might have carry'd some reason and weight.

The Third objection is, that he pass'd a Law laying a Duty on all British comodities imported into Carolina which procured a very particular Order from the King and Council.

Coll.ll Johnson doth admitt he did consent to the Passing such a Law for laying a Duty upon all goods Imported into Carolina, appropriated for Repairing the Fortifications in which there was no

no Exception for the product or Manufacture of Great Britain, & that by a Representation of the Comissioners of the Customes of the Inconveniency of it, it was Ordered it should be Disannul'd which it was accordingly. And he humbly conceives He is noways blameable, for such a Law had been annually passed before his time and no Instructions given to the contrary before, from the King or Lords Proprietors and he craves leave to observe, that Laws to the same effect have been passed in other American Collonys which are under the Imediate Government of the Crown, which did occasion a Genll. Order to all Governmts. not to pass such Laws for the Future.

The Fourth Objection is that the Paper money in his time was very much increased and they speak of Complts. and ill consequences attending it.

Mr. Johnson is surprized that Mr. Shelton the Proprietor's Secretary should advise or consent to the drawing up this Article against him, because before the Lords of Trade he did assure their Lordships, that the People of Carolina had turned Mr. Johnson out of his Governmt. because he would not consent to their Issuing Paper money, but on the contrary

contrary had passed a Law for sinking and Distroying
it all in Three years, which gave great Satisfaction
to the Merchants, and that the fact is so he very well
knows, & if called on Oath must acknowledge it, for
it can be proved that he said so by Persons then
present; and that Mr Johnson did pass such a
Law he is likewise ready to prove. The contradic-
-tion and Inconsistancy therefore of this accusation
is manifest, when the propriet^rs had a mind to
Impeach the proceedings of the People, then they had
turned their Govern^r out because he had passed
a Law for sinking the Paper money, but now to
serve another Occasion they say he very much
Increased it, it was then made the Chief reason
of the Peoples revolt, but the causes of that revolt
proceeded Intirely from the Actions of the Proprietors
themselves too long here to Enumerate which
actions were done directly contrary to the
opinion and advice given them by Mr Johnson.

B. P. R. O. South Carolina (B.T.) Vol 26 p. 231.

17 Nov. 1727.

To Genl. Nicholson.

Sir,

My Lords Commissioners for Trade & Plantations command me to remind you of your having promis'd their Lordships when you attended the Board the 27th of September last, to give your thoughts in writing upon the Copy of a Letter which I then gave you from Capt. Massey in relation to the Fort built upon the Alatahama in South Carolina: If therefore your Health will permit you, my Lords desire to hear from you upon this Subject as soon as conveniently may be.

I am, Sir,
Your most humble Servant.
A. Popple.

Whitehall.
17 Nov. 1727.

B. P. R. O. South Carolina (B.T.) Vol 26 p. 232

1 Decr 1727.

To His Grace the Duke of Newcastle.

My Lord,

We take Leave to send Your Grace inclosed Our Representation upon the Copy of a Letter transmitted to Us by Your Grace the 23d of September last, from Capt Massey, who commands the Independent Company at Fort King George, upon the Alatahama River in South Carolina; And as We therein mention some Periaguas which are fitting out at St Augustine to Cruise upon the Coast of Carolina, We likewise take Leave to send Your Grace inclosed the Copy of a Deposition to that purpose. We are,

My Lord,

Your Graces Most Obedient & most humble Servants

Whitehall
1 Dec. 1727.

J. Chetwynd. P. Docminique.
T. Pelham.
Edw. Ashe. M. Bladen.
Orl. Bridgeman
N. Cary.

B.P.R.O. A + W.I. Vol. 621.

(Enclosure to letter to Duke of Newcastle 1st Dec. 1727.)

To the Kings most Excellent Majesty.

May it Please your Majesty.

His Grace the Duke of Newcastle one of Your Majesty's principal Secretarys of State, having lately transmitted to Us, the Copy of a Letter, to Your Majesty's Secretary at War, from Capt. Edward Massey, who Commands an Independant Company of Foot, at Fort King George, upon the Alatamaha River in South Carolina setting forth divers hardships, which the Company suffers, from the unwholesome situation of the said Fort, and the Badness of Accomodation there. And We having since the receipt of the said Letter, seen several other Papers from Carolina by which it appears that Capt. Massey at the Request of the Council and Assembly has actually withdrawn all his Men to Port Royal, and abandoned the Fort at Alatamaha.

We take leave to acquaint Your Majesty that in the Year 1720, it being suspected the French or Spaniards would take Possession of the Alatamaha River, His late Majesty was pleased to Order a Company of 100 Men, under the Command of General Nicholson, Your Majesty's Governour of Carolina, to secure that River as being

within

within the Bounds of South Carolina. And to Erect a Fort as well to Maintain His Majesty's Property there, as to Command the Navigation of the said River, which Runs up the Country very near to the French settlements on the Missisippi. A Fort was accordingly built, and called Fort King George, which was some time afterwards Burnt by accident and Rebuilt but in a very bad manner, at the Expence of the Province, which is one of the Causes why the Soldiers complain for want of proper Accomodations, tho' We cannot beleive their Condition to be so bad as is set forth, because General Nicholson has informed Us that the Inconveniences which the Garrison labour'd under there, were chiefly owing to the Unactive and Lazy disposition of the Soldiers, who are most Old Invalids, of which the General has given us a remarkable Instance, for he says they could not be prevail'd upon to fetch wholesome Water for themselves, as the Natives did when they assisted in building the said Fort, whereby they preserved themselves in good health.

General Nicholson has also informed Us, that he had often proposed to the said Company, the making of Gardens and Inclosures, and had offered to send them

stocks

stocks of Cattle, as he had done Powder, Shot and Fishing Tackle by which means, had they been Industrious they might have saved their Pay by victualling themselves, there being in that Country great Plenty of Deer, Wild Fowl and Fish.

This being the true state of the Case altho' the situation of the Fort, may not be very healthy, and altho' there may be some reason to complain, for want of Proper Accomodation, whatever inducements the Council and Assembly might have to withdraw the Garrison, for any immediate service, from thence to Port Royal yet We are of Opinion that the Fort ought not to be Abandoned, But that Orders should be sent without loss of time for resuming the Possession of it lest the same should fall into the hands of the French or Spaniards, the reasons being at present rather stronger for Maintaining of this Fort than they were at first for the Erecting of it, This may be done by sending only a Detachment of the Company at Alatamaha, for We look upon this Fort at present rather as an Evidence of your Majesty's Possession than as a Place capable of making any considerable Defence.

This Detachment may from time to time be Relieved

Relieved, from Port Royal, by which means the Soldiers will have the means of Preserving or Recovering their healths, and it may be left to the Discretion of Your Majesty's Governour there, to change the situation of the Fort to any other Place, not lyable to the same Objections with this, Provided the same be situate in a Place that may command the Navigation of the said River.

We the rather recommend this because, We are informed, the Spaniards are Equiping several Periaguas to Cruise upon that Coast, and they may probably take possession of this River if not Speedily Prevented.

At the same time, We would humbly propose to Your Majesty, that Orders may be sent to your Majesty's Governor there, to Furnish the Soldiers with all proper Conveniences, and to give all possible Encouragement for the Carrying on so Important a Service.

It may likewise be necessary that Your Majesty should be Graciously pleased to give Directions to your Board of Ordnance, to send some Powder and Ball to Carolina, for the Service of the said Fort their stores being entirely Exhausted.

all

All which is most humbly Submitted

Whitehall
Decem^r. 1. 1727.

J. Chetwynd.
P. Doeminique.
T. Pelham.
M. Bladen.
Edw: Ashe.
Oct^o Bridgeman.
W. Cary.

South Carolina.

Jacobus Kerstead of the Province of New York, Mariner of full age, & late Master of the Sloop Two Brothers of New York afore-said, Deposeth and Saith.

That on or about the 30th Day of July last past, he took his Departure from Cape Julopen in the Province of Pensylvania Bound for South Carolina;

That on or about the one & twentieth Day of August last past, at the hour of about four he espyed two Sloops to the Southward which gave him chase, & continued the same till four of the Clock next morning, when coming up with him fired two Shott (one of which like to have taken the Deponent then at Helm or near it & hailed the Deponent, bid-ding

-ding him strike and hoist out his boat, or he would sink him, on which the Dept. lowered his Sails, hoisted out his Boat, & went on Board the Spanish Sloop, & there asked for Quarter, which was granted, in which time the other Sloop came up & endeavoured to Board the Deponents' Sloop, but was prevented by the Sloop which took the Deponent; several shott being exchanged between them, on the next Morning it being calm, all three vessels came to an Anchor in about 10 Fathoms of Water.

That on the 25th they saw a Sail to the Northward & gave Chace, & being Calm rowed after her, & not coming up sent out a Canoe with about Eleven hands, which took the said Sloop, which alleo came from Philadelphia Commanded by one Solo-mon Middleton, and on the Twenty seventh they took a Snow of Bristoll, Bound from the Bay of Honduras to South Carolina, - Laden with Loggwood & Commanded by Capt. John Hall near the same Latitude. That on the Twenty eighth of the same Month the Spaniard between Ten and Twelve gave to his English Prisoners the said Snow, & then parted steering to the Eastward; The English Prisoners thereof the Deponent was one, endeavoured to obtain

obtain the first Harbour, but by contrary winds
were kept off about three Days, & then standing
in, made the Land near St Helena Sound, & Ancho-
-ed, & then sent out her Boat to sound the Channel,
and soon after saw two Sail which they took to
be a Snow & a Schooner making towards them, on
which they got up their anchor, & run up as far
into the Sound as they durst. In the morning
they got up their Anchor, and run close under Otter
Island, & the next morning they espyed a Snow
coming from the Northward, & came to an anchor
without the breach of the Barr, with a Flagg at the
Maintop-mast-head which the Deponents Company
in their Snow to gett farther up into a Creeke, where
the Deponent left the said Snow. The Deponent further
saith that the Sloop which took him was about
Eighty Tunns mounted with Six carriage-Guns,
Navigated as it was said with seventy five hands
Commanded by one Bloss from the Havannah.

That in the time of the Deponents being a Prisoner,
he in discourse with the Gunner of the Privateer,
who could speak Dutch as well as the Deponent, the
said Gunner said, that they expected from the Havan-
-nah a Snow of Twelve Guns, and one hundred and
Twenty

Twenty Men, & a Schooner of Thirty five hands to Cruize on the Coast of Carolina, & that the said Bloss told him in English, to the same effect, & the said Bloss & Gunner told the Deponent, that there was Warr, & that Ten or Twelve Pettiangers or Launches were fitting out of St. Augustine to come along the Coast, & shewed an Instrument which he called a Commission from the King of Spain & Governor of the Havannah, & said, that there were Ten or Twelve of the said Commissions sent from the King of Spain to the Governor of the Havannah, of which the said Capt. Bloss said, he had one.

The Chief of the Depts. Cargoe was Bread
Sept. 8. 1727. and Flour (signed) Jacobus Kiersted.
Sworn before me

Wm. Tunley Mc.Cane.

South Carolina.

Solomon Middleton Mariner, late Master of the Sloop Betty of South Carolina aforesaid of Age. Deposeth & saith;

That on or about the Twenty fifth of August now last past being on a voyage from Philadelphia in Pensylvania to Charlestown in South Carolina in the

the Latitude of Thirty two Degrees & fifty Minutes
North Latitude, in eight Fathom & half of Water,
saw a sail giving him Chace, who in about
Three hours came up with the Deponent & hoisting
out her Launch, which came along side of the
Deponent, & bid him Strike to the King of Spain,
which the Deponent did, the said Launch layd the
Depon.t aboard, & said he had gott a good Prize,
the Deponent asked them, whether or no it was Warr,
the Commander of the Launch answered that the
King of Spain had Proclaimed Warr against the
King of England; the Spaniard plundered the
Deponent's said Sloop, & then sent her to the Havanah,
Capt. Blois Roderegoes being Commander of the
Privateer, which was a Sloop of about Eighty Tuns
Mounted with Six Carriage Guns, Navigated with about
Seventy three Men, all Spaniards, belonging as they
said to the Havanah.

The Deponent asked the Spanish Captain, how
he came upon the Coast, or for what, and he answered
that he came with four sail of Privateers all be-
longing to the Havanah, to Convoy the Flota Armada
through the Gulf, consisting of Ten sail Freighted
with Silver & Gold belonging to the King of Spain; the

Deponent

Deponent asked the Spaniard, what the other Privateers were, & he answered that there was a Snow of Twelve Guns & one hundred & Twenty Men, a small Schooner of Four Guns & thirty five men, & a sloop of Eight Guns & Eighty men, which he thought was all at that time on the Coast of South Carolina.

The Deponent enquired of the Spaniards, whether there were any Privateers out of St. Augustine, and was answered, not as he could tell

(Signed)

Charles Town Solomon Middleton

Sept 5th 1727.

Sworne to before me

Wm. Tunley McCane

B.P.R.O. A + W.I. Vol. 621.

(Dy 1727)

To his Grace Holles Duke of Newcastle One of His Maty's Principal Secretarys of State.

The Humble Peticon of Joseph Fox late Master in Chancery in his Maty's Province of South Carolina.

Sheweth,

That your Graces Petr has advice from South Carolina, that Mr William Hamerton is dead, whereby The Office of Naval Officer & Vendue Master are vacant.

Your Graces Petr most humbly begs your Grace will be so good as to Grant him the said Office of Naval Officer; your Grace now having an opportunity to make up his unhappiness of being Superseded in his former Post, without Prejudicing any Person.

Your Graces Most humble Petr is induced to hope your Grace will have no Objection to this; having been graciously pleased to Express to your Petr a Concern for Misplacing him, & a Willingness to serve him; And the rather, as The Earl of Halifax was pleased to inform your Petr (who has his Interest much at heart Well knowing he always behaved as a Faithful Servant & a Dutiful & Loyal Subject) That

your

your Grace had assured his Lordp of your good inclinations & readyness to serve him: But that your Grace did not care to Turn any Person out.

Now your Grace's Petr most humbly prays since a Vacancy fairly Offers, your Grace will Take this Peticon into your Grace's serious Consideration, together with his Former Misfortunes, & most gratiously Grant him the said Office of Naval Officer in ye Province of South Carolina

And your Graces Petr as in Duty bound shall ever pray &c.

Joseph Fox.

To his Grace Holles Duke of Newcastle One of His Maties Prinl Secretarys of State.

1727

B. P. R. O. South Carolina B. T. Vol. 4 C. 84.

(22nd September 1727)

To the Right Honourable the Lords Commissioners of Trade and Plantations

My Lords

In Obedience to Your Lordshipps Commands Signified to me by Mr. Popples Letter of the 6th of July 1727. I have perused and Considered the following Acts pass'd at South Carolina in the Year 1726.

An Additional Act to an Act Entituled an Additional Act to an Act for Keeping and Maintaining a Watch and good Orders in Charles Town

An Act for making a new Road between the North and Middle Branch of Stono River.

An Act for Establishing a Ferry, from the landing of Mr. John Godfrey, cross Ponpon River.

An Additional Act to an Act for the Tryal of Small and mean Causes

An Act for cutting and clearing a Creek, commonly called Biggon Creek.

An Ordinance for the Adjournment of the General Sessions

An Act to preserve the Navigation and Fishery in the Severall Rivers and Creeks in this

Province

Province.

An Act for appointing an Agent to Sollicit the Affaires of this Province in Great Britain.

An Act to revive and continue the Severall Laws therein mentioned.

An Act for the Encouragement of Killing and destroying Beasts of Prey.

An Act to empower Commissioners to Lay out and Keep in Repair a Road from Westo Savana into Ponpon Road.

An Act for the better Securing this Province from Negroe Insurrections and for encourageing of poor People by employing them in Plantations

An Act for raising the Sum of 27452.£ 5.s 2.d for defraying the Charges of the Government for one Year commencing the 29th of Septemb. 1726 and ending the 29th of Septemb. 1727.

An Act for the better Settling of the Courts of Justice

To all which I have no Objection in point of Law, which I humbly certifie to Your Lordshipps

Septemb.r 22d 1727 I am

Reced 28th Sept.r 1727 My Lords, Your Lordshipps most

Read April 24th 1730 Obedient Faithfull humble Servant

Fran. Fane